LOK SABHA DEBATES

(Part I – Questions and Answers)

VOLUME IV, 1954

(23rd Aug. – 24th Sept. 1954)

SEVENTH SESSION

1954

LOK SABHA SECRETARIAT

NEW DELHI

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Dated 01.12.2014

LOK SABHA

Wednesday, 22nd September, 1954

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

ANDHERI-BORIVLI RAILWAY LINE

*1206. **Shri Gidwani:** Will the Minister of **Railways** be pleased to state when the work of electrification of the Andheri-Borivli through line on the Western Railway will be taken in hand?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): The work will be taken in hand soon after the monsoons.

LOANS TO LOCAL BODIES

*1209. **Dr. Ram Subhag Singh:** Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that Government propose to advance loans to certain local bodies in the States for enabling them to meet their share of the cost of construction of over-bridges and under-bridges to replace Railway level-crossings; and

(b) if so, what is the estimated amount to be given during 1954-55?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) An amount of Rs. 50 lakhs has been earmarked in the provision made in the Five Year Plan for the grant of such loans during 1954-55 and 1955-56. The amount to be given as loans during the current year cannot be estimated at present as proposals for the grant of loans are still awaited from a number of State Governments.

Dr. Ram Subhag Singh: May I know whether the amount which is proposed to be given to the local bodies will also be given to the district boards, because most of the over-bridges and under-bridges are going to be constructed in the rural areas?

Shri Alagesan: That is so. The cost of these bridges will have to be borne by the local bodies. Instead of making a loan direct to the local bodies, we advance the loan to the State Government, who in turn will advance the loan to the local bodies.

Dr. Ram Subhag Singh: May I know on what basis these loans are going to be advanced, whether the cost of construction of the bridges is taken into account, or the loans are going to be advanced only on an *ad hoc* basis?

Shri Alagesan: No, the share of the cost of these bridges will be taken into consideration before advancing these loans.

CANCER RESEARCH CENTRE, BOMBAY

*1210. **Shri Krishnacharya Joshi:** Will the Minister of **Health** be pleased to state what are the main items of research carried on in the Cancer Research Centre at Bombay?

The Minister of Health (Rajkumari Amrit Kaur): A statement is laid on the Table of the House. [*See* Appendix VIII, annexure No. 1.]

Shri Krishnacharya Joshi: May I know whether any new method of

treatment of cancer has been found out?

Rajkumari Amrit Kaur: No. Research is being done all the time, but actually no startling new remedy has been found.

Shri Krishnacharya Joshi: May I know whether it is a fact that smoking also is one of the causes of this cancer?

Mr. Speaker: Order, order. I do not think we need enter into a discussion of that matter.

MINIMUM WAGES RULES

*1215. **Ch. Raghubir Singh:** Will the Minister of **Labour** be pleased to state:

(a) whether it is a fact that the Port Trusts of Calcutta and Bombay are experiencing certain practical difficulties in giving effect to the provisions of the Minimum Wages (Central) Rules, 1950; and

(b) if so, what steps Government propose to take to remove these difficulties?

The Minister of Labour (Shri K. K. Desai): (a) and (b). Certain difficulties have been pointed out and it is proposed that these should be studied by representatives of the Ministry of Transport and the Ministry of Labour on the spot with a view to suggesting special Rules which would protect the interests of labour and at the same time would fit in with the special conditions under which some of the Port Trust labour has to work.

Ch. Raghubir Singh: May I know what the main difficulties are?

Shri K. K. Desai: As the hon. Member knows, the work of dock labour under the Port Trusts is to keep the port clear for the incoming and outgoing vessels, and therefore, the maritime crews who have to put in this work have to work over-time even at night. At the same time, the lighthouses are under the charge of the Port Trusts. Therefore, this work has to be done in a way which would not be consistent with the general rules which the Ministry has issued. Hence, this is under consideration by both these Ministries.

सरदार ए० एस० सहगल : क्या मैं जान सकता हूं कि जो वहां पोर्ट ट्रस्ट के काम करने वाले लोग हैं उन्होंने कोई सुझाव सरकार के पास भेजा है ?

श्री के० के० देसाई : जी हां, भेजा है । उसके लिए तो एक संयुक्त इन्क्वायरी हो रही है ।

Shri Thimmaiah: May I know whether Government would consider giving grant to the port authorities to enable them to meet the wages bill?

Shri K. K. Desai: I want notice of this question.

CRECHES

*1217. **Pandit Munishwar Datt Upadhyay:** Will the Minister of **Labour** be pleased to state:

(a) whether the Planning Commission has made any provision for creches for working mothers, in industrial institutions; and

(b) what is the scheme and how far it is being implemented during the first phase of the Plan?

The Minister of Labour (Shri K. K. Desai): (a) The responsibility for providing creches is on the employers and so no separate financial provision has been made in the Plan for this purpose.

(b) Creches are to be provided under the Factories Act, 1948 (Section 48), the Mines Act, 1952 (Section 58) and the Plantations Labour Act, 1951 (Section 12). 425 creches were opened in factories and 164 in mines (119 in coal mines and 45 in mines other than coal mines) upto December, 1952.

Pandit Munishwar Datt Upadhyay: Upto what age of the child are these creches provided?

Shri K. K. Desai: Upto the age of six years.

Pandit Munishwar Datt Upadhyay: May I know after how many months

of delivery the mothers are allowed to work in factories?

Shri K. K. Desai: Six weeks after the delivery, they are entitled to work in factories, according to the law.

Shri N. B. Chowdhury: May I know whether Government have taken any steps to see that the legal provision regarding the responsibility of the employers to provide creches is being implemented?

Shri K. K. Desai: That is the function of the Factory Inspection Departments of the States. As far as the Central Government are concerned, 209 prosecutions have already been made in the mines where these creches have not been provided according to the statute.

Shri P. C. Bose: May I know what percentage of the creches has already been built under the Indian Mines Act, the Indian Factories Act, and the Plantations Labour Act?

Shri K. K. Desai: I think the number is given in the main answer.

Shri P. C. Bose: I wanted to know the percentage of creches that have been provided, and also the percentage of creches that have yet to be provided.

Shri K. K. Desai: I could not follow the question.

Mr. Speaker: Out of the total number of mines that have to provide creches, how many have provided creches, and how many have not provided cheches, and therefore what is the percentage? That is what the hon. Member wants.

Shri K. K. Desai: I have not got that information at this stage.

SURPLUS STORES

*1219. **Shri Bahadur Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether an inventory of the materials stocked by the Central Tractor Organisation has been completed so far; and

(b) if so, what is the value of stores with the Central Tractor Organisation on the 1st August, 1954?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes, Sir.

(b) Stores and other capital assets are valued every year as on 31st March for the purpose of preparation of commercial accounts. The accounts for the financial year 1953-54 are still under compilation, but on the basis of the provisional balance-sheet of the Central Tractor Organisation as on 31st March, 1954, closing balance of only stores would come to Rs. 1,62,38,148.

Shri Bahadur Singh: Is it true that there is accumulation of a huge surplus of spare parts, equipment and stores lying with the Central Tractor Organisation, and if so, what is the value of those surplus stores, spare parts, etc.? What are the reasons for these being surplus?

Dr. P. S. Deshmukh: Now, we are pursuing a policy of declaring whatever is surplus to our requirements, and at the moment, I think, we have very little of this sort of stores left.

Shri Bahadur Singh: I wanted to know the reasons for these stores being surplus?

Dr. P. S. Deshmukh: It would be difficult for me to mention them in reply to a question.

Shri Bahadur Singh: Are there some stocks which have not yet been opened, and if so, what is the value of those stocks?

Dr. P. S. Deshmukh: There are hardly any stocks unopened now.

Shri T. N. Singh: May I know whether reconciliation of the stores balances with actual physical checking has been carried out during any of these years, and if so, what does the position disclose?

Dr. P. S. Deshmukh: This is a procedure which has been continued for a number of years, and it is almost nearing completion.

दूर-मुद्रक

*१२२०. **श्री भागवत झा आजाद :** क्या **संचार** मंत्री यह बताने की कृपा करेंगे कि १९५४-५५ और १९५५-५६ में समाचार भेजने की सरकारी योजना के अंगस्वरूप किन-किन स्थानों को दूर-मुद्रक लाइनों से जोड़ देने का विचार है ?

The Deputy Minister of Communications (Shri Raj Bahadur): Following are the new places which have been linked with the teleprinter circuits for purposes of dissemination of Press news during the current year of 1954-55:

1. New Delhi-Kanpur.
2. Kozhikode-Trivandrum.
3. Madras-Guntur.
4. New Delhi-Bhatinda.
5. Madras-Coimbatore.

The question of providing teleprinter circuits between the following stations is under consideration:—

Nagpur-Raipur.
Bombay-Rajkot.
Allahabad-Kanpur.

श्री रघुनाथ सिंह : मैं जानना चाहता हूं.....

Mr. Speaker: Order, order. Our convention is that the person who puts the question must be given the first chance.

श्री भागवत झा आजाद : मैं यह जानना चाहता था कि यह जो दूर-मुद्रक यंत्र लगाये गये हैं इनमें से कितने अंग्रेजी के हैं और कितने हिन्दी के ?

श्री राज बहादुर : हिन्दी का टेलीप्रिन्टर अभी एक प्रयोग के लिए लगाया गया है और वह दिल्ली और पटना के बीच में है ।

श्री भागवत झा आजाद : मैं जानना चाहता हूं कि आपने जो ५५-५६ का प्रोग्राम दिया है उसमें क्या कोई योजना है जिसके अनुसार आप हिन्दी के और दूर-मुद्रक यंत्र लगाना चाहते हैं ।

श्री राज बहादुर : जी हां, योजना है । और हम टेलीप्रिंटर मैशीन भी डेवलप कर रहे हैं । जैसे ही वह ठीक तरह से बन जायगी कि जिसमें नागरी लिपि के सारे अक्षर और मात्रायें आ सकें हम उसका प्रयोग शुरू कर देंगे ।

श्री एम० एल० द्विवेदी : मैं यह जानना चाहता हूं कि हिन्दी के ऐसे कितने टेलीप्रिंटर हैं जो बेकार पड़े हैं । और हिन्दुस्तान समाचार समिति के मांगने पर वे क्यों नहीं दिये गये ?

श्री राज बहादुर : उनको दो टेलीप्रिंटर केवल नाम मात्र के शुल्क पर दिये गये हैं । उनको ये टेलीप्रिंटर दस रुपया छमाही के शुल्क पर दिये गये हैं । और दो और फालूत हैं । जब और पूरे बन जायंगे तो और देंगे ।

श्री भागवत झा आजाद : आपने अभी बताया कि आपने हिन्दुस्तान समाचार समिति को दो दूर-मुद्रक यंत्र केवल नाम मात्र के शुल्क पर दिये हैं । मैं जानना चाहता हूं कि आपने केवल उनको यंत्रों पर कनसेशन दिया है या लाइन पर भी ?

श्री राज बहादुर : सिर्फ यंत्र पर कनसेशन दिया है, लाइन पर कनसेशन नहीं दिया है ।

Re-employment of Railway Personnel

*1223. **Shri Viswanatha Reddy:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Eastern Railway has recently issued a general notice for re-employment of retired people, as Station-Masters, Assistant Station-Masters and Signallers; and

(b) if so, the special reasons for re-employment of these superannuated men?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, for re-employment only as Assistant Station Masters.

(b) This course had to be adopted to meet the shortage in this category.

Shri Viswanatha Reddy: May I know whether the Government did not have any prior intimation of the

necessity for this staff, and if they did have, why they did not recruit it in time?

Shri Alagesan: Yes. The administration placed a demand for 400 men. The Railway Service Commission was able to offer about 350 as probationary ASMs. They were medically examined and out of these, about half the number had been disqualified. The rest are undergoing training. So this shortage has to be filled only by having the superannuated men in service for a little more time.

Shri Viswanatha Reddy: May I know if the Government are in a position to assure us that in view of the employment position in the country, this sort of procedure will be a very rare and exceptional one and will not be a common feature?

Shri Alagesan: I can assure the hon. Member that we will do everything in our power to see that recruitment keeps pace with the demand. We have also increased the number of Service Commissions recently.

STEAMSHIP "BHARAT BALA"

***1224. Shri Jethalal Joshi:** Will the Minister of **Transport** be pleased to refer to the reply to starred question No. 1788 asked on the 14th April, 1954 and state the result of the preliminary inquiry instituted to find out the circumstances in which the steamship "Bharat Bala" ran aground?

The Deputy Minister of Railways and Transport (Shri Alagesan): On a consideration of the Report of Preliminary Inquiry held by the Mercantile Marine Department, Bombay, it has been decided to hold a formal investigation under section 248 of the Indian Merchant Shipping Act, 1923. The matter is, therefore, *sub judice* now.

Shri Jethalal Joshi: Is it a fact that there is great silting in the Gulf of Cambay which may be the cause of the ship running aground and are the Government.....

Mr. Speaker: Order, order. The matter is under inquiry. So anything which is likely one way or the other to affect the result by way of inference will not be permissible now. If he wants any other information, he may ask for it.

Shri Jethalal Joshi: May I put another question?

Mr. Speaker: Yes.

Shri Jethalal Joshi: Are the Government aware that due to delay in applying measures promptly, another ship also has run aground shortly after that?

Shri Alagesan: I do not have any such information.

Shri S. N. Das: May I know whether as a result of the report received, any action has been suggested, and if so, what is that action that is going to be taken?

Shri Alagesan: First a preliminary inquiry is held. If that is considered sufficient, it is left there and action is taken. Otherwise, subsequently a formal inquiry is held. It has been decided to have a subsequent formal inquiry in this case. There are two inquiries envisaged under the Act.

WATER SUPPLY IN IMPHAL

***1225. Shri Rishang Keishing:** Will the Minister of **Health** be pleased to state:

(a) whether Government are aware of the insufficiency of the tap water supply in the town of Imphal;

(b) if so, what steps are being taken to increase the water supply there; and

(c) what were the causes of its failure in the past?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) A scheme for the improvement of water supply in Imphal Town is under consideration.

(c) Government of India are not aware of any such failure.

Shri Rishang Keishing: May I know whether the Government are aware that some of the villages and areas of bazaar in the town of Imphal consisting of 50 to 100 families have been refused water supply in spite of their repeated joint requests to the authorities, whereas independent water supply has been given to some of the Government officers who have got residential quarters in the Imphal town area?

Rajkumari Amrit Kaur: I am not aware of the differentiation that has been made, as alleged by the hon. Member. But a scheme for water supply came to us and we asked the Government of Manipur to send us detailed estimates. They could not carry out the work themselves. They said that either the Government of Assam or the Government of West Bengal should do the work. The Government of Assam was unable to do it. The Government of West Bengal sent estimates, which, in our opinion, were very high. Now, because the CPWD have set up their own Department in Assam, new estimates have come. They have been sent to the Chief Commissioner and as soon as we get a detailed reply from him as to the best source of water supply, the scheme will be taken in hand.

Shri Rishang Keishing: May I know whether Government will give due consideration to such joint request of the people for water supply in the respective localities?

Rajkumari Amrit Kaur: Certainly. Money has been set aside for water supply and the Government concerned has only to ask. It will be given help.

Shri Amjad Ali: May I know what is the target of *per capita* consumption of water supply in the town of Imphal?

Rajkumari Amrit Kaur: I am afraid I could not give that information.

संयुक्त राष्ट्र के अन्तर्राष्ट्रीय बाल सहायता कोष द्वारा भारत में व्यय की गई राशि

*१२२६. **श्री एम० एल० द्विवेदी :** क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) संयुक्त राष्ट्र के अन्तर्राष्ट्रीय बाल सहायता कोष द्वारा प्रसूति सहायता और शिशु कल्याण के लिये भारत में कितनी राशि व्यय की गयी है;

(ख) देहाती क्षेत्रों में उपयोग के लिये विभिन्न राज्यों में कितने व्यक्तियों को दाइयों के उपयोग की सज्जा-सामग्री प्रदान की गयी है; और

(ग) इस कोष में से कितनी दाइयों तथा प्रसूति कार्य करने वाली महिलाओं को विशेष प्रशिक्षण दिया गया है ?

The Minister of Health (Rajkumari Amrit Kaur): (a) The total amount allocated so far by the United Nations Children's Emergency Fund for Maternity and Child Welfare Services in India is dollars 3·35 millions.

(b) No information is available in respect of the Obstetrical instruments supplied to the institutions located in rural areas. The number of institutions (rural as well as urban) to which the equipments and supplies received from the UNICEF have been allocated is as follows:—

Maternity and Child Health Centres	1255
Midwifery Schools	79
Nursing Schools	70.

(c) The training for Nurses and Midwives is provided by the Training Schools run by the Government of India, State Governments, Local Bodies or Philanthropic Organisations and not by the UNICEF. The latter are rendering assistance in this programme by providing useful teaching equipments.

Shri M. L. Dwivedi: May I know how many institutions have been established by the Centre and by the States in India under this scheme?

Rajkumari Amrit Kaur: I could not give the number because it is impossible to say how many new institutions we have established. But I can tell the hon. Member about the number of institutions that are being helped under this scheme.

Shri M. L. Dwivedi: May I know if any work has been started in the rural areas under this scheme, as has been replied to by the hon. Minister? If so, in what States and what centres?

Rajkumari Amrit Kaur: There are so many centres where this scheme has been started. There are 51 centres of training schools for midwives who are receiving assistance. There are 28 midwives' schools supplied with 30 varieties of teaching equipments and they are spread over the whole of India in all the States. Then there are training schools for nurses to the extent of 50. Again there are training schools who have been supplied with teaching equipment to the tune of 20.

Shri M. L. Dwivedi: How many Asian countries are to benefit under this scheme and what are the countries that are contributing to the scheme?

Rajkumari Amrit Kaur: No Asian countries are contributing to our development. The equipment is provided by UNCIEF and the rest, practically, we do ourselves.

RAILWAY HOSPITALS

*1228. **Shri Muniswamy:** Will the Minister of Railways be pleased to state the policy in the matter of allowing doctors other than those employed by the Railways either in permanent or honorary capacity to undertake surgical operations in Railway Hospitals?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): No outside doctors are ordinarily allowed to conduct surgical operations in Railway Hospitals. In cases of emergencies when a Railway Doctor in attendance considers it necessary to consult any Specialist or other Medical Officer in the Service of Government, he can call him in the Railway Hospital for consultation.

Shri Muniswamy: May I know whether it has come to the notice of Government that the Chief Medical Officer of Southern Railway at Madras underwent a surgical operation by a non-railway doctor and if so, what are the reasons?

Shri Shahnawas Khan: Yes; this thing has come to our notice, Dr. Soma Sekhar who was the Chief Medical Officer, Southern Railway, was operated upon by Dr. C. V. Menon who was honorary surgeon to the Government General Hospital; also a Government hospital.

Shri Muniswami: May I know...

Mr. Speaker: Order, order. We will go to the next question. I do not propose to allow any other personal question of that kind.

TURMERIC RESEARCH STATION

*1229. **Shri Sanganna:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that the Turmeric Research Station at G. Udayagiri (Orissa) has been subsidized to the extent of 75 per cent. of the entire expenditure thereof, by the Central Government; and

(b) if so, what kind of control Government have over this institute?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) The recurring expenditure from 1944-45 to 1948-49 was shared by the Indian Council of Agricultural Research and the State Government in the proportion of 75 : 25 and thereafter on 50 : 50 basis.

(b) The institute is directly administered by the State Government, but the technical programme and the

progress reports on the work done at the institute are scrutinised by the Indian Council of Agricultural Research, and guidance given.

Shri Sanganna: May I know whether any officer of the Government of India has ever inspected this institute and if so, what is his impression about the working of this institute?

Dr. P. S. Deshmukh: I must ask for notice of this question, Sir.

Shri Sanganna: May I know what benefits have been reaped from this Turmeric Research Institute and what arrangements have been for extension of services from this institute?

Dr. P. S. Deshmukh: It is always our aim to translate the results of scientific investigation for better plantation and better looking after of agricultural processes; but I cannot say what exactly has been done.

Shri Sanganna: May I know whether any progress reports have been received by Government, and if so, what are the reactions of Government in respect of these?

Dr. P. S. Deshmukh: As has been stated in my reply, we have got progress reports from time to time and we have no reason to believe that they are unsatisfactory.

रेलवे में भ्रष्टाचार

*१२३०. **श्री पी० एल० बारूपाल :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कुछ ऐसे मामले पकड़े गये हैं, जिनमें टिकट चैकरों और अन्य रेलवे कर्मचारियों ने पैसे स्वयं हड़पने के प्रयोजन से यात्रियों को बिना टिकट बैठा लिया हो; और

(ख) यदि हां, तो ऐसे मामलों में कितने कर्मचारी पकड़े गये और उनको क्या सजा दी गयी ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) During the year 1953, 21 such cases were detected on the Eastern, North-Eastern, Northern, Southern and Western Railways. Suitable disciplinary action has already been taken in twelve cases. The charges have not been proved in two cases and further investigation is progressing in regard to others. So far as the Central Railway is concerned, the information is under collection and will be placed on the Table of the House, on receipt.

श्री पी० एल० बारूपाल : मैं जान सकता हूं कि क्या यह सही नहीं है कि दिल्ली आदि प्रमुख स्थानों से जाने वाली गाड़ियों के डिब्बों पर रेलवे कर्मचारी खड़िया से "सुरक्षित स्थान" ऐसा लिख कर यात्रियों को धोखा देते हैं और गाड़ियों के चलने के कुछ देर पहले ही यात्रियों से पैसा लेकर बैठा देते हैं ?

श्री शाहनवाज खां : यह बात अभी तक हमारे इल्म में नहीं है ।

Diwan Raghavendra Rao: May I know if Government are aware that the co-sharers of these Ticket Checkers are found in Station Masters, Guards and railway police, and how Government try to find out these people?

Shri Shahnawaz Khan: As I have just stated, 21 cases have come to our notice and we are taking very severe disciplinary action against them.

Several Hon. Members *rose*—

Mr. Speaker: Order, order. I think we better go to the next question.

Kolar Gold Field Workers

***1232. Shri M. S. Gurupadaswamy:** Will the Minister of **Labour** be pleased to state:

(a) the pay scale of labourers working in Kolar Gold fields;

(b) whether Government have received any representation from the workers in regard to their pay scale; and

(c) if so, the action taken thereon?

The Minister of Labour (Shri K. K. Desai): (a) A statement showing the scales of wages and dearness allowance of workmen in Kolar Gold Fields is placed on the Table of the House. [*See* Appendix VIII, annexure No. 2.]

(b) and (c). An industrial dispute was raised by the workmen and Government have referred it to an Industrial Tribunal for adjudication.

Shri M. S. Gurupadaswamy: May I know when this tribunal will decide or is expected to decide in the case?

Shri K. K. Desai: We understand that the tribunal has already gone to Bangalore on the 19th of this month.

Shri M. S. Gurupadaswamy: May I know whether there is any interim relief given to these labourers in regard to wages, allowance etc.?

Shri K. K. Desai: Now that the question has been referred to the tribunal, it is for them to decide whether any relief is to be given.

Shri M. S. Gurupadaswamy: I want to know whether there was any demand by the labourers there for any interim relief and whether Government have considered that demand?

Shri K. K. Desai: As I said, the question of the whole dispute has been referred to the tribunal.

Shri T. B. Vittal Rao: The point is, whether under the terms of reference, grant of interim relief is included?

Shri K. K. Desai: The demands which were made by the workers were: revision of wages, termination of gratuity and bonus for the year 1952. All these three terms of reference were referred to the tribunal.

NEW RAILWAY LINES IN HYDERABAD

***1233. Diwan Raghavendra Rao:** Will the Minister of Railways be pleased to state:

(a) the recommendations that have been made by the Hyderabad Government for the construction of new Railway lines in the State;

(b) whether the people of the Hyderabad State have also made any representation in this connection; and

(c) if so, which of those recommendations have been accepted?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) The following lines have been recommended:—

(1) Ramagundam to Nizamabad.

(2) Gadag to Kothagudium Raichur Gadwal.

(3) Jalna to Bhir to Osmanabad and on to Sholapur and connection with the Parlivaijnath line.

(4) Adilabad to Rajpura.

(5) Macherla to Nalgonda and on to Hyderabad-Dronachellam line.

(6)) Wadi to Bijapur.

(b) Yes, Sir.

(c) No final decision has yet been reached.

Diwan Raghavendra Rao: May I know when the Sholapur-Jalna line is likely to be taken for construction?

Shri Shahnawaz Khan: We have not taken any decision on the matter yet.

Diwan Raghavendra Rao: May I know if Government are aware that the railway line hardly touches the districts of Bhir and Osmanabad and as such the districts remain undeveloped economically? May I also know what criteria are there to decide the priority in giving preference to construction of railway lines.

Shri Shahnawaz Khan: As I have already stated, no decision has yet been taken. I am sure when any final decision is taken, all these factors will be taken into consideration.

Shri K. K. Basu: May I know whether, when construction of new

lines is taken up, the opinion of State Governments is taken or the Railway Department themselves decide the construction of new lines?

The Minister of Railways and Transport (Shri L. B. Shastri): The opinion of State Governments is always taken and in fact we have addressed all the State Governments to indicate their priority as well as a list of new lines which they want to be constructed in their States.

DELEGATION TO AFGHANISTAN

*1234. **Shri K. C. Sodhia:** Will the Minister of **Communications** be pleased to state:

(a) whether any Indian Service personnel have been deputed to Afghanistan to operate the Communications and Meteorological Stations at Kabul;

(b) if so, their number and the period of deputation; and

(c) whether any financial liability devolves on Government in respect of the deputationists and if so, how much?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). The question of rendering assistance to the Afghanistan Government in the establishment of Aeronautical Communication and meteorological facilities at Kabul and Kandahar by providing necessary equipment and technical personnel to install and operate it, is under consideration. Negotiations in the matter are still in progress with the Government of Afghanistan.

Shri K. C. Sodhia: Are such negotiations in progress with any other country?

Shri Raj Bahadur: The case of Afghanistan is a peculiar one because necessary facilities have to be provided there and they stand in need of technical personnel, equipment etc. Negotiations with them are under way. I do not know whether we stand in that relation with any other country at the moment.

DISPLACED RAILWAY EMPLOYEES

*1235. **Shri T. B. Vittal Rao:** Will the Minister of **Railways** be pleased to refer to the answer to Starred Question No. 1581 asked on the 5th April, 1954 and state:

(a) whether the examination of the judgment of Bombay High Court wherein it was held that "Railway Employees who had opted for service in Pakistan and made their final choice in favour of service in India within prescribed time were entitled to their wages from the day they reported on duty", has since been concluded;

(b) if so, the decision arrived at; and

(c) the number of such employees who have not been paid such wages?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). The matter is under consideration.

Shri T. B. Vittal Rao: May I know when this protracted consideration will reach a stage of finality because this question has been hanging fire for well over five years and it has been raised in this very House so many times?

Shri Alagesan: The hon. Member himself put a question and referred to the judgment of the Bombay High Court as a result of which this matter has now come under consideration. This judgment, I understand, has been delivered in the third week of March, 1954, as the hon. Member himself has mentioned in the last question. So, Sir, it is only a few months that we have been considering this matter.

Shri Sadhan Gupta: In view of the fact that this question of provisional optees to Pakistan has created dissatisfaction not only among the employees concerned, but among the minority communities also, do Government propose to hasten the consideration and can Government say by which time the consideration will be finished?

Shri Alagesan: In consultation with the Ministry of Home Affairs we are considering this question. Though I may not be able to indicate the time-limit, I can assure the hon. Member that we will do it as quickly as possible.

Shri T. B. Vittal Rao: Part (c) is not answered yet.

Mr. Speaker: He can put a separate question later.

Shri T. B. Vittal Rao: The number of such employees, mentioned in part (c), cannot be under consideration.

Mr. Speaker: What is the reply to part (c)?

Shri Alagesan: Twenty-three employees took the case to the High Court.

INDIAN SHIPPING

*1236. **Mulla Abdullabhai:** Will the Minister of **Transport** be pleased to state:

(a) whether the target fixed for shipping tonnage at the end of the Plan period is likely to be reached; and

(b) the extent of loans given so far by Government to the various Shipping Companies for this purpose?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) A statement giving the required information is laid on the Table of the Sabha. [*See* Appendix VIII, annexure No. 3.]

Shri Bhagwat Jha Azad: May I know the target up till now achieved in the three years' plan?

Shri Alagesan: To begin with, the tonnage was 3,90,000. The tonnage added up to date was 1,49,000. Tonnage scrapped within this period from the beginning of the Plan period is 60,000. The net addition upto now is 89,000, but we have been advancing loans to private shipping companies who have been arranging purchases and we hope to reach the target of 6,00,000 tons before the Five Year Plan period is over.

Shri Bhagwat Jha Azad: The figures just quoted are difficult to follow. May I therefore know the percentage of the total achieved so far during these three years out of the five-year period.

Shri Alagesan: As I said, the companies are in the process of making purchases. They began with 3,90,000 tons.

Mr. Speaker: The difficulty of the hon. Minister, as I see it, is that the matter is partly in the hands of private companies.

Shri Alagesan: More than 90 per cent. is in the hands of private companies.

Mr. Speaker: He is, therefore, unable to give the answer.

Shri U. C. Patnaik: In view of the fact that there has not been proper response to the loans advanced to private companies, is there any proposal to encourage an increase in the tonnage by adopting the practice prevailing in other countries where loans are being granted for ship-building at very low or nominal rates of interest, repayable within a very long period, subject to the condition that the construction conforms to the design put forward by naval experts?

Shri Alagesan: I have already informed the House that all this is being done by Government now. We are aiding companies to place orders on the Hindustan Shipyard and Government pays, as a subsidy, the difference between the U.K. parity price and the actual cost of the Hindustan Shipyard. In addition to this, we have given long-term loan to shipping companies to place orders abroad or to have ships constructed in foreign shipyards.

WATER SUPPLY SCHEME OF HYDERABAD

*1237. **Shri H. G. Vaishnav:** Will the Minister of **Health** be pleased to state:

(a) whether the Government of Hyderabad have forwarded recently any schemes for water supply to the urban and rural areas in that State;

(b) if so, the estimated costs thereof;

(c) whether any loan or grant-in-aid has been offered by the Centre for such schemes; and

(d) if so, to what extent?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) Rs. 202·91 lakhs for urban water supply schemes and Rs. 26·00 lakhs for rural schemes.

(c) and (d). A loan of Rs. 31·55 lakhs for five urban water supply schemes has been offered to the Government of Hyderabad. The request for grant-in-aid for rural schemes is under consideration.

Shri H. G. Vaishnav: Has the amount been advanced as loan or grant?

Rajkumari Amrit Kaur: The amount for urban schemes is in the nature of a loan, and any money given for rural schemes is in the nature of a grant.

Shri H. G. Vaishnav: May I know whether the work under the schemes has been started by the State?

Rajkumari Amrit Kaur: We have offered the money for five of the schemes as loans and these are urban schemes. We are waiting to hear from them when they are going to begin the work.

SEASON TICKETS ON NORTH EASTERN RAILWAY

*1238. **Shri T. K. Chaudhuri:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the facility of treating season tickets issued for each month as available upto the 3rd of the next month provided they were renewed, has been withdrawn on the North Eastern Railway;

(b) whether it is a fact that this facility is given on other Railways;

(c) if so, the reasons for this discrimination; and

(d) whether any representation has been received from the public in this regard?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) Yes, Sir.

(c) The time allowed for renewal of season tickets has been reduced to one day after the date of expiry as season tickets are now issued by the Station Masters and not by the Headquarters Office.

(d) Yes. The North Eastern Railway have been asked now to fall in line with other Railways.

RAILWAY WATCH AND WARD STAFF

*1239. **Shri K. K. Basu:** Will the Minister of **Railways** be pleased to refer to the reply to starred question No. 1472 asked on the 31st March, 1954, and state:

(a) whether the re-organisation of Railway Watch and Ward has since been finalised;

(b) if so, the cost incurred so far on this new scheme; and

(c) the details of the organisation, training of personnel, pay structure etc., of the scheme?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (c). Details of the reorganisation are being worked out and will be finalised shortly.

(b) The cost is not anticipated to be very much in excess of the cost of the Watch and Ward and other ancillary establishments.

Shri K. K. Basu: May I know whether under the new arrangements the Watch and Ward is going to be replaced by armed police units, especially in the Eastern and North-Eastern Railways?

Shri Shahnawaz Khan: One of the points in the re-organisation of the Watch and Ward is that certain portions of them will also be armed.

Shri K. K. Basu: May I know whether the personnel of the Watch and Ward Department are transferred usually at very short notice, within twenty-four hours, causing much inconvenience to them?

Shri Shahnawaz Khan: It all depends on the exigencies of the service and sometimes they have to be transferred at a moment's notice.

Shri K. K. Basu: May I know whether under the new terms of the service as proposed, they will not be adversely affected?

The Minister of Railways and Transport (Shri L. B. Shastri): I wonder if the hon. Member is aware of the proposed new terms at all. Probably he is not, and I do not think that is going to happen.

TRAINING IN AYURVEDA

*1241. **Shri D. C. Sharma:** Will the Minister of **Health** be pleased to state:

(a) the names of institutions for imparting training in the Ayurvedic system of medicine subsidized by Government; and

(b) the amount of grant given to them in the current year?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Government of India do not maintain or subsidize any institution for imparting training in the Ayurvedic System of Medicine.

(b) Does not arise.

Shri D. C. Sharma: May I know the reason for not subsidising or aiding any ayurvedic institution?

Rajkumari Amrit Kaur: There is no question of not aiding ayurvedic institutions by the Central Government. The money is there and it is for the State Governments to include them in their Five Year Plan and then the money is given.

Shri D. C. Sharma: May I know how much money has been given to the State Governments for this purpose in the current year and how much of it has been spent?

Rajkumari Amrit Kaur: I cannot give that reply off-hand, because it depends on the State Governments' schemes.

Shri D. C. Sharma: What is the proportion of the aid given to ayurvedic institutions and the aid given to those institutions which impart instruction on the allopathic system of medicine?

Rajkumari Amrit Kaur: There again, it is for the State Governments to say because it is the State Governments that run both institutions, ayurvedic and modern.

Shri D. C. Sharma: May I know how much aid has been given to the State Governments for allopathic institutions during last year, if not for this year?

Rajkumari Amrit Kaur: I cannot give you the figures of what the Central Government has given, but the Central Government does not give aid to any institutions in the States unless it be for any specific purposes that the Central Government has in view.

CORRUPTION AMONGST RAILWAY STAFF

*1242. **Shri Dabhi:** Will the Minister of **Railways** be pleased to refer to the reply to starred question No. 1124 asked on the 17th March, 1954 and state:

(a) whether the investigation regarding the racket at Sulebhavi Station on the Southern Railway has been completed; and

(b) if so, the result of the investigation?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). An enquiry by a Departmental Committee has been held in this case and their report is awaited.

ZOOLOGICAL GARDEN IN DELHI

*1243. **Shri S. N. Das:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply to starred question No. 385 asked on the 30th November, 1953 and state:

(a) whether the scheme for the establishment of a wild life park near Purana Quila in New Delhi has been finalised;

(b) if so, what arrangements have been made for the execution of this scheme; and

(c) what is the present plan and programme for its execution?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Not yet.

(b) Does not arise.

(c) The scheme is under further consideration.

Shri S. N. Das: May I know whether in framing the scheme the Government is following the old adage "Slow and steady wins the race"?

Dr. P. S. Deshmukh: The scheme was not there in the original plan. It was as a result of the deliberations of the Wild Life Board that this was proposed and it was undertaken. We have been facing some difficulties because the Honorary Secretary of the Committee, Mr. Bowring Walsh has suddenly left, and the scheme which was to be phased in two years has somewhat been delayed.

Shri S. N. Das: May I know if this scheme, when given effect to, will be a Central Government responsibility or the State Government will also be asked to participate in it?

Dr. P. S. Deshmukh: The Chairman of the Committee is the Chief Commissioner, Delhi. But he would be acting as an agent on behalf of the Central Government.

उत्तर-पूर्व रेलवे में डकैती

*१२४४. **श्री विभूति मिश्र :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि इस वर्ष उत्तर-पूर्व रेलवे की सराय और भगवानपुर स्टेशनों के बीच रेल में एक डाका पड़ा था;

(ख) क्या डाकू माल लेकर बच निकले थे;

(ग) क्या इस सम्बन्ध में कुछ जांच हुई है, और यदि हां, तो उसके परिणाम क्या हैं; और

(घ) ऐसी घटनाओं को रोकने के लिये क्या कार्यवाही करने का विचार है ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) An armed robbery was committed in the R.M.S. Van of 312 Dn. Lucknow-Katihar Passenger train between Sarai and Bhagwanpur stations on the 5th June, 1954.

(b) Yes.

(c) Yes; the matter is, however, still under police investigation.

(d) All possible steps are being taken by the Police in the different States to prevent such crimes. The Railways, on their part, have also instituted such special measures as they can for ensuring the safety of all passengers.

श्री विभूति मिश्र : मैं यह जानना चाहता हूं कि सरकार के पास सभी उपायों के रहते हुए भी जो गाड़ियों में चोरियां और डकैतियां हुआ करती हैं उन से यात्रियों की सुरक्षा के लिये और इसलिये कि उन को पूरी सुविधा मिले, सरकार क्या प्रबन्ध कर रही है ?

श्री शाहनवाज खां : चलती गाड़ियों में चोरियों और डकैतियों की जो वारदातें होती हैं उन का ताल्लुक ला एंड आर्डर से है और ला

एंड आर्डर एक ऐसी प्राब्लेम है जिस को सिर्फ रेलवे हल नहीं कर सकती है ।

श्री विभूति मिश्र : मैं जानना चाहता हूं कि हर एक स्टेशन से जो अपर क्लास के यात्री चढ़ते हैं उन की सुविधा के लिये और सुरक्षा के लिये सरकार क्या प्रबन्ध कर रही है ?

श्री शाहनवाज खां : अपर क्लास के पैसेन्जर्स के लिये डब्बों के अन्दर चटकनी लगा दी गई है ताकि वह सोने से पहले दरवाजे खुद अच्छी तरह से बन्द कर सकें और कोई डर उन के लिये न रह जाय ।

PREFERENTIAL SCHEDULE OF SOUTHERN RAILWAY

***1245. Pandit Munishwar Datt Upadhyay:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that tea has been excluded from the preferential schedule of Southern Railway;

(b) if so, when and the reasons therefor; and

(c) whether it is a fact that the wagons supply position not being easy, the movement of tea is unduly restricted?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No.

(b) Does not arise.

(c) No, movement of tea has not been restricted on account of difficult wagon position, and there has been no undue delay in arranging movement of tea except from Pollachi on the Metre-gauge area to Broad-gauge stations *via* Palghat Tranship and from Metre-gauge stations in the Bangalore Railway district to Broad-gauge stations *via* Bangalore City Tranship. The movement of traffic *via* these routes has to be suitably regulated in the light of the operating conditions prevailing from time to time.

Pandit Munishwar Datt Upadhyay: What are the material considerations in fixing these preference schedules generally?

Shri Shahnawaz Khan: The importance of the commodities.

Pandit Munishwar Datt Upadhyay: May I know whether the annual demand of wagons for the movement of tea is being met or there is a shortage?

Shri Shahnawaz Khan: It has been met generally, but sometimes we are behind schedule by a few wagon-loads.

Pandit Munishwar Datt Upadhyay: What is the yearly demand and what is the supply?

Shri Shahnawaz Khan: I have not got the yearly demand, but I have got with me the daily demand. It is seven wagons *ex* broad-gauge stations and five wagons *ex* metre-gauge stations, that is twelve wagons daily.

EVALUATION OF ASSETS OF AIR COMPANIES

***1247. Shri Bahadur Singh:** Will the Minister of **Communications** be pleased to state the steps taken to have an independent check of the evaluation of the assets of the Air Companies for assessment of compensation payable to them?

The Deputy Minister of Communications (Shri Raj Bahadur): A Senior Chartered Accountant having long experience of air transport accounts has been placed on special duty for the work relating to the assessment of compensation payable to the air transport companies whose undertakings have been taken over by the two Corporations. He is assisted by audit teams comprising partly of specialist technical staff drawn from the two Corporations, from the Hindustan Aircraft Ltd., Bangalore, and from the Civil Aviation Department and, partly, of accounts and audit personnel. These teams were entrusted with the responsibility of examining and checking the various assets of the companies and scrutinising their books and accounts.

Shri Bahadur Singh: May I know by what time Government will start giving compensation to these companies?

Shri Raj Bahadur: We hope that we may start that even in the next month, that means October, and I think decidedly before the end of this year.

Shri Bahadur Singh: May I know whether Government have given any financial assistance to these companies during the period the Government was busy checking the assets?

Shri Raj Bahadur: They are not entitled to any financial assistance from the Government as such.

Shri Bahadur Singh: In the report on page 10, I find that Government has given financial assistance to Bharat Airways and the Air India International, Limited. I want to know whether this financial assistance given to them will be adjusted in their compensation.

Shri Raj Bahadur: Financial assistance to Bharat Airways is out of the question. We used to give them a subsidy. That was stopped by the end of 1953. Whatever was due by way of arrears might have been given to them. Apart from that, I do not think any financial assistance as such was due to Bharat Airways.

Shri K. K. Basu: May I know whether only the books have been checked or the physical stores and the quality and the existence of the particular materials were also checked?

Shri Raj Bahadur: A physical check of the materials, engines, spares and other stores, etc. has been made and all possible steps have been taken to see that there are no leakages or that there is no bad accounting.

RAILWAY STORE PURCHASES

***1248. Shri Viswanatha Reddy:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that purchases made for the Railways are not necessarily made from the lowest tenderer;

(b) if so, the reasons for the same; and

(c) whether preference is given to Indian manufacturers while placing orders?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The lowest tender is accepted as a rule, but, in certain cases it may not be acceptable.

(b) A statement giving the information is laid on the Table of the House. [*See* Appendix VIII, annexure No. 4.]

(c) Yes.

Shri Viswanatha Reddy: May I know whether certain cases have been brought to the notice of the Government in which none of the reasons as given in the statement exists and still the order was placed with a British firm in preference to an Indian firm?

Shri Alagesan: I am not aware of any individual cases at the moment.

Shri Viswanatha Reddy: May I know whether the Government is aware that a refugee firm in Bangalore manufacturing railway battery was not given any order in spite of the fact that theirs was the lowest tender and in spite also of the fact that the quality of those batteries, which are being used in the Southern Railway, is found to be good for the railways?

Shri Alagesan: The batteries that are manufactured by indigenous firms are being tried on the railways. Also, orders have been placed on some of them and their batteries are being tried. In the meanwhile, it might have happened that batteries from other sources also were purchased.

SUGAR FACTORIES

*1249. **Dr. Ram Subhag Singh**: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total number of sugar factories in India which were lying idle in the year 1953-54;

(b) the steps that Government propose to take to put them back into operation; and

(c) whether all of them will be brought back into operation during the year 1954-55?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) 22.

(b) It is proposed to develop the production of cane in zones of factories which are lying closed for want of adequate cane supply. In case of factories where such development is not possible efforts will be made to shift such plants to more suitable sites. An Expert Committee has been appointed to carry out detailed investigations in respect of each unit, and further action will be taken in the light of the recommendations of that Committee.

(c) Two of these factories are expected to operate during the 1954-55 season.

Dr. Ram Subhag Singh: May I know the time when the Government came to know that these factories were going to remain idle because of inadequate supply of sugarcane?

Dr. P. S. Deshmukh: In every case, it is not possible to forecast that they may not have sufficient cane. For instance, in the two factories in Madhya Bharat, it was due to scanty rainfall. The tanks not being full, sugarcane could not grow to the extent anticipated.

Dr. Ram Subhag Singh: By what time do Government expect that adequate supply of sugarcane could be made available so that these factories may be enabled to run according to their capacity?

Dr. P. S. Deshmukh: That is possible only in the case of a few factories. As I mentioned, some factors are beyond our control. If there are good rains, it may be possible for the factories to get the necessary supply of cane. In other cases, it is not. In chronic cases of insufficient supply, this Committee will investigate the possibility of shifting any factory to some other region.

Dr. Ram Subhag Singh: May I know the total average production capacity of these factories and to what extent these factories contributed to the sugar scarcity in the country?

Dr. P. S. Deshmukh: On the whole, these are smaller factories. I have got the whole list of 22 factories. For instance, in West Bengal, one of the factories has a capacity of 750 tons; another 75. There are many varying upto 100 tons; some 80 and so on. The total capacity of many of them is rather insignificant.

Shri L. N. Mishra: From the statement, it appears that the sugar mills are starved for want of sugarcane. I want to ask whether Government are aware of the fact that the reported attempts to reduce the price of sugarcane in the future will provide less incentive to growers and the growers will opt for other cultivation?

Dr. P. S. Deshmukh: This is a question of a very general nature and it brings in the oft-repeated difference of opinion so far as the price of sugarcane is concerned.

The Minister of Food and Agriculture (Shri Kidwai): I may inform the hon. Member that there is no alternative crop which will bring the income that sugarcane will bring at prices even if they are reduced.

DERAILMENT ON THE CENTRAL RAILWAY

*1251. **Shri Bhagwat Jha Azad**: Will the Minister of **Railways** be pleased to state:

(a) whether any goods train derailed between Devlali and Lahvit on the

Bhusawal-Igatpuri Section of Central Railway on the 1st September, 1954;

(b) if so, the extent of damage involved; and

(c) the cause of derailment?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan). (a) At about 7-40 hours on 1st September, 1954, while No. 98 Up Goods train was running between Deolali and Lahavit stations on the Bhusaval-Igatpuri Section of the Central Railway, the engine and fourteen wagons behind it derailed.

(b) The approximate cost of damage to railway property was Rs. 20,225/-.

(c) The derailment was caused due to slipping of the embankment as a result of heavy rains.

Shri Bhagwat Jha Azad: Was there any report of loss of life of Railway employees?

Shri Shahnawaz Khan: No, Sir.

Shri Bhagwat Jha Azad: May I know, in view of the fact that any supplementary question on corruption brings only laughter, whether there was any railway employee or station master involved in this?

Mr. Speaker: In this accident, he means?

Shri Bhagwat Jha Azad: Whether there was any mistake of the railway employees in causing this accident?

Shri Shahnawaz Khan: The question related to an accident. The hon. Member is talking about corruption. I could not follow.

Shri Bhagwat Jha Azad: He has not followed my question. I am not talking of corruption. I want to know whether the derailment was due to oversight or mistake of the railway employees or not.

Shri Shahnawaz Khan: Yes. An Assistant Station master and a petrol man have been held responsible for negligence of duty which led to this accident. The accident was caused by the slip of the embankment due to heavy rains.

Shri Bhagwat Jha Azad: What action has been taken?

Mr. Speaker: Let us not pursue this individual case. We will go to the next question.

Telegraphic Connections for Police Headquarters

***1252. Shri Sanganna:** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that all the headquarter Police Stations in Orissa are to be connected with telegraph lines; and

(b) if so, the period within which the proposal will be implemented?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). Out of 295 Thana Stations 148 will have telegraph facilities by March, 1955. The remaining 147 will be provided in the next five year Plan.

Shri Sanganna: What factors are taken into consideration in opening a telegraph office in any place?

Shri Raj Bahadur: The factors are: if the loss over the project does not amount to over Rs. 1000 *per annum* and if there is no other telegraph office installed within a radius of five miles from that particular station, then a telegraph office is opened on such a station.

Shri Sanganna: May I know whether the Government of Orissa has recommended any places for the opening of telegraph offices during this year, and if so, in how many places they have been opened?

Shri Raj Bahadur: I am not aware of that.

JAPANESE METHOD OF RICE CULTIVATION

*1253. **Shri Jethalal Joshi:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply to a supplementary question on starred question No. 514 asked on the 10th September, 1954 and state:

(a) the total acreage of land under Japanese method of rice cultivation at present; and

(b) the total quantity of fertilisers required for this land?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Transplanting of paddy is still in progress in several parts of the country and it is yet too early in the season to say what acreage would be actually put under the Japanese method of rice cultivation.

(b) This will depend upon the total acreage actually brought under this method of cultivation.

Shri Jethalal Joshi: Is it a fact that the Government placed orders for 50,000 tons of fertilisers somewhere in April and may I know whether that consignment has arrived in time to be used in the farms?

Dr. P. S. Deshmukh: The hon. Member has not stated to what State he refers. But, I must confess that in some cases we have been rather handicapped for want of supplies. We are doing our best to supply where the need is the greatest.

Shri Madhao Reddi: May I know whether it is a fact that the acreage under rice under the Japanese method has decreased considerably this year due to discontinuing the practice of supply of fertilisers on *taccavi* basis by the State Governments?

Dr. P. S. Deshmukh: Yes, Sir. Probably, there is some truth in the statement that adequate *taccavi* grants might not have been available. I have not got data and figures with regard to it.

Diwan Raghavendra Rao: With a view to increase rice cultivation under the Japanese method, have the Government encouraged the manufacture of agricultural implements of the Japanese type, and if so, in which institutions?

Dr. P. S. Deshmukh: We had manufactured one in the I.C.A.R. There are some manufactured by private firms. They are being made available in some cases as free gifts and in others on trial.

MINOR IRRIGATION SCHEMES IN THE PUNJAB

*1255. **Shri D. C. Sharma:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have received any programme for Minor Irrigation Schemes from the Punjab State for the year 1954-55;

(b) if so, whether it has been approved; and

(c) the amount allocated for it?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) Yes.

(c) Rs. 1,20,87,120.

Shri D. C. Sharma: May I know what was the amount of grant that was asked for?

Dr. P. S. Deshmukh: I have not got that figure. In most cases, unless the scheme is essentially unsound, we generally approve the proposals of the State Government.

Shri D. C. Sharma: May I know what items are included in this scheme known by the name of minor irrigation schemes?

Dr. P. S. Deshmukh: By minor irrigation, we mean subject to certain other conditions, schemes which do not cost more than Rs. 10 lakhs.

Shri D. C. Sharma: May I know what kinds of schemes are these?

Dr. P. S. Deshmukh: I am afraid, it would take long to describe this. We have got rules and specific categories of the works which are included in these.

EXPORT OF ANIMALS

*1257. **Shri Viswanatha Reddy**: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that export of Indian livestock is declining because importers fear that livestock diseases are widely prevalent in India;

(b) if so, the steps taken by Government to remove this apprehension;

(c) whether any organisation has been set up to see that diseased animals are not allowed to be exported; and

(d) if so, the composition of the organisation?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

(b) to (d). Do not arise.

Shri N. B. Chowdhury: May I know the names of the countries to which Indian livestock is being exported?

Dr. P. S. Deshmukh: To Ceylon mostly. We have sent a few to the U.S.S.R. as well as Burma, Afghanistan, Thailand, and U.S.A. also. The number is almost insignificant.

INTERNATIONAL PEOPLE'S COLLEGE, ELSINOR

*1259. **Shri S. N. Das**: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the final selection of candidates to be sent to the International People's College, Elsinor (Denmark) for a course in agriculture and in the management of folk schools, has been made by the Central Government:

(b) if so, the names of the persons selected;

(c) the names of the States to which they belong; and

(d) the details of this scheme?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) to (d). A statement is laid on the Table of the House. [*See* Appendix VIII, annexure No. 5.]

Shri S. N. Das: In view of the fact that a large number of trainees will have to be trained in this respect, may I know whether the question of starting an institution of the nature of an International People's College is under the consideration of the Government?

Dr. P. S. Deshmukh: No, Sir.

Shri S. N. Das: May I know whether the selection that has been made has been made direct by the Central Government or on the recommendations of the State Governments?

Dr. P. S. Deshmukh: We consult the State Governments. But, the selection is certainly limited because we limit the selection to personnel who are employed in the Extension Training Centres.

Shri Kasliwal: May I request that the last question may be answered? It relates to drought conditions in various States. It is a very important question. Only one question.

Mr. Speaker: The question Hour is over, unfortunately.

Shri K. K. Basu: It may be extended by a few minutes.

Short Notice Question and Answer

Milk Supplied by I.C.A.R.

S.N.Q. No. 14. Shri Gidwani: Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether the attention of Government has been drawn to the reply given to a question in the Delhi Legislature by he Health Minister on the 15th September, 1954 to the effect that the milk supplied by the Indian Council of Agricultural Research to the hospitals, jail, etc. in Delhi has been found to be adulterated and that the rates charged for milk and

butter are comparatively higher than the market rates;

(b) whether any enquiry has been made into the matter; and

(c) if so, what is the result of the enquiry?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) and (c). A complete statement is laid on the Table of the House. [*See* Appendix VIII, annexure No. 6.] It will be seen therefrom that ever since the inception of the I. C. A. R. Milk Supply Scheme there has not been a single case of official complaint about the *quality* of milk supplied to Hospitals. Measures are in force to ensure quality and to supply wholesome pasteurised milk to the public of fat content far above the prescribed legal standard. However, in any system of large scale milk distribution, where milk is not packed in sealed bottles, but distributed from cans through depots each in charge of a salesman, stray cases of infringement of instructions cannot be entirely eliminated. A few such cases (not more than 5 during a period of over 3 years) brought to our notice by municipal authorities date back to 1952 and 1953 and in each case the salesman was fined or removed from service. Continued vigilance will be maintained to reduce such cases to the minimum.

As the scheme is run on a no-profit basis the prices charged are reasonable and in fact the scheme has helped to stabilise, at reasonable levels highly fluctuating milk prices in Delhi. Gallup polls reveal that the public is satisfied with the scheme both with regard to quality and service.

Shri Gidwani: May I know when the milk is obtained from the Government dairy farms and other agencies and supervised and tested by the government officers and sent in sealed cans to hospitals and other institutions, why is it that even then some samples as admitted by the Minister, were found to be adulterated in 1952 and 1953?

Dr. P. S. Deshmukh: As I have already mentioned, we have not been able to get sealed bottles, and therefore, this human element of tampering with them now and again cannot be entirely eliminated in spite of the best efforts that we make.

Shri Gidwani: When samples of sealed cans were found below the legal standards, may I know how many such cases were detected, what was the number of offenders prosecuted and what was the punishment awarded to them?

The Minister of Food and Agriculture (Shri Kidwai): Dismissed.

Dr. P. S. Deshmukh: They were dismissed. I have mentioned there were only five cases and in each one of the cases the fat content was above the legal standard.

Shri K. K. Basu: May I know what is difficulty in introducing the sealed bottle system of distribution?

Dr. P. S. Deshmukh: It will increase the cost. Then there will be again a complaint about increase in the cost.

Dr. Rama Rao: What is the legal prescription of the fat content? Is it a fact that it is much below the natural fat content of milk?

Dr. P. S. Deshmukh: The legal standards to which I referred, Sir, are 3.5 in the case of cow's milk and 4.5 in the case of mixed milk—both cow's and buffalo's.

Shri Dabhi: May I know the reasons why instead of supplying the unmixed buffalo milk, the mixed milk of cow and buffalo is being supplied, as in the latter case there is greater chance of adulteration?

Dr. P. S. Deshmukh: We supply both kinds of milk, and that is the suitable arrangement we can make.

It is impossible to classify and separate all the milk we get.

Shri Dabhi *rose*—

Mr. Speaker: I am now going to the next business.

WRITTEN ANSWERS TO QUESTIONS

B.C.G. IN THE PUNJAB

***1205. Shri D. C. Sharma:** Will the Minister of **Health** be pleased to state the number of persons who were inoculated with B.C.G. in Punjab State during 1953?

The Minister of Health (Rajkumari Amrit Kaur): 2,94,351 persons.

POLISHING OF RICE

***1207. Shri Dabhi:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that when rice is polished by milling it loses much of its nutritive value and by its use several serious diseases such as Beri-Beri are produced; and

(b) if so, whether Government propose to prohibit rice-polishing by milling process?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes, Sir, when rice is polished either through mechanical process or hand-pounding its nutritive value is adversely affected, the extent of the loss of nutritive value depending on the degree of polish. The continued use of highly polished rice in a diet which is also poor in B vitamins does result in vitamin deficiency diseases such as beri-beri.

(b) The Government of India are appointing a Committee who would examine the working of the different types of rice mills in the country from all aspects such as technical, nutritional consumer preference etc. and to make recommendations as to the future policy that should be adopted by Government On receipt of the report of the Committee, Government will decide what action should be taken in this connection.

RAILWAY EFFICIENCY BUREAU

***1208. Shri S. N. Das:**
Dr. Satyawadi:

Will the Minister of **Railways** be pleased to state what important techniques have so far been evolved by the Railways Efficiency Bureau which have led to greater efficiency in various fields of railway operation?

The Deputy Minister of Railways and Transport (Shri Alagesan): The Efficiency Bureau has developed techniques for efficiency measurement in the field of operation in respect of—

(i) transit time of goods through break-of-gauge transhipment points;

(ii) detention to wagons of each gauge at transhipment junction, and

(iii) wagon utilisation.

The Bureau has also devised techniques for the measurement of—

(iv) workload in respect of each of the major working departments on the railway.

(v) workload on the administrative machinery of the railway.

W.H.O. SEMINAR FOR WATER WORKS OPERATORS

***1211. Sardar Hukam Singh:** Will the Minister of **Health** be pleased to state:

(a) whether recently a World Health Organisation Seminar was held in New Delhi for water works operators; and

(b) what are the recommendations of this Seminar that require immediate attention and implementation?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) No recommendations were made by the Seminar. It was arranged to serve as a "Refresher Course" for waterworks operators.

COCHIN PORT

*1212. **Shri A. M. Thomas:** Will the Minister of **Transport** be pleased to state:

(a) the total amount set apart for the development of the Cochin Port under the Five Year Plan;

(b) how much amount has been spent so far; and

(c) what works have actually been carried out and what remains to be done?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Rs. 201 lakhs.

(b) Rs. 18.45 lakhs upto end of July, 1954.

(c) A statement showing the progress of work is laid on the Table of the House. [*See* Appendix VIII, annexure No. 7]

PHILATELIC SECTION OF THE PARIS FAIR

*1213. **Th. Lakshman Singh Charak:** Will the Minister of **Communications** be pleased to state:

(a) the names of the delegates from India who attended the Philatelic Section of the Paris Fair held in May, 1954; and

(b) how much expenditure did Government incur on these delegates?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No separate delegation was sent to the International Philatelic Fair held at Paris in May, 1954. Shri H. L. Jerath, Director-General, Posts and Telegraphs and Shri T. N. Mehta, Stamp Officer, Posts and Telegraphs who were already on deputation to the continental countries were sent to Paris to attend the Fair.

(b) Rs. 2,450/, approximately.

'FUJI' TRACTORS

*1214. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that a demonstration of 'Fuji' tractors was given at the Indian Agricultural Research Institute;

(b) what is the opinion of Government experts regarding the workability of the tractor on Indian soils in different States;

(c) whether Government contemplate to start the manufacture of the said tractors in India in collaboration with the Japanese Firm; and

(d) if so, within what period?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) The demonstration was given for a very short period. It was, therefore, not possible for the Government experts to collect the data necessary for an opinion about the suitability of tractors.

(c) No.

(d) Does not arise.

MILK MARKETING BOARDS

*1216. **Shrimati Tarkeshwari Sinha:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have advocated the setting up of Milk Marketing Boards throughout the country; and

(b) if so, what progress has been made in the various States in this direction?

The Minister of Food and Agriculture (Shri Kidwai): (a) The Planning Commission suggested setting up of such Boards.

(b) State Governments are primarily concerned with this suggestion. A summary of their views received so far is placed on the Table of the Sabha. [*See* Appendix VIII, annexure No. 8.]

CALCUTTA SUBURBAN RAIL SERVICE

*1218. **Shri S. C. Samanta:** Will the Minister of **Railways** be pleased to state:

(a) when the electric trains and other equipment ordered abroad for use in the Calcutta Suburban lines are expected to be received;

(b) by what time the other preliminary works in connection with the said line are expected to commence; and

(c) when the construction of the *ex*-B.N.R. Suburban line upto Kharagpur is expected to be taken up?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No orders have been placed as yet. Only global quotations have, so far, been invited and offers are to be received during November and December, 1954. No accurate information about receipt of equipment can, therefore, be given at present. Some minor preliminary works have already been started.

(c) No date has been settled for this.

RELIEF TO AGRICULTURISTS

*1221. **Shri Biren Dutt:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any relief by way of reduction of rent or cancellation of debts has been given to the agriculturists of Tripura during 1950-53; and

(b) if so, the nature of the relief given ?

The Minister of Food and Agriculture (Shri Kidwai): (a) and (b). Relief has been given by grant of agricultural loans.

चाम्पा-कोरबा रेलवे लाइन

*१२२२. **श्री जांगड़े :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वी रेलवे की प्रस्तावित चाम्पा-कोरबा लाइन के निर्माण में क्या प्रगति हुई है;

(ख) अब तक उस पर कितना खर्च हुआ है; और

(ग) क्या यह सच है कि रेलवे अधिकारियों द्वारा रखी गयी शर्तों पर ही काम करने के लिये स्थानीय मजदूरों के तैयार रहने पर भी बाहर के मजदूरों और कर्मचारियों को भरती किया जा रहा है ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) About 33 per cent.

(b) A sum of about Rs. 22 lakhs had been spent on this work upto the end of July, 1954.

(c) No, Sir.

CIRCLE SERVICE TELEGRAPHISTS

*1227. **Shri H. N. Mukerjee:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that a representation of the Circle Service Telegraphists regarding denial to them of the Adjudications Award for fixation of pay is under consideration of Government for nearly three years; and

(b) if so, when a decision is expected?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes, because the decision in the matter can be taken only in consultations with the Ministries of Finance and Home Affairs, in so far as it requires a very close examination of the terms and conditions of service of the various cadres and the duties and responsibilities assigned to them from time to time.

(b) Before the end of the current year.

BRIDGE OVER GODAVARI

*1231. **Shri Raghuramaiah:** Will the Minister of **Transport** be pleased to state:

(a) whether it is proposed to construct a road bridge over the River Godavari in the Andhra State;

(b) if so, the estimated cost thereof; and

(c) by what time the construction of the bridge is expected to be commenced and completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes; it is proposed to construct bridges across the two branches of the river Godavari called Gautami and Vasista.

(b) Gautami bridge—Rs. 124.79 lakhs. Vasista bridge—About Rs. 65 lakhs.

(c) The Gautami bridge is expected to be commenced early in 1955 and the Vasista bridge in the latter part of 1955. It will take about five years for the construction of the Gautami bridge and about three years for the construction of the Vasista bridge.

हिन्दी

*१२४०. **श्री एम० एन० सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मंत्रालय के प्रतिवेदनों, सांख्यकीय और अन्य महत्वपूर्ण प्रकाशनों के हिन्दी संस्करण प्रकाशित करने का विचार है;

(ख) यदि हां, तो यह प्रस्ताव कब तक कार्यान्वित होगा ;

(ग) क्या रेलवे द्वारा कर्मचारियों की भरती और पदोन्नति के लिये समय समय पर ली जाने वाली परीक्षाओं में हिन्दी एक विषय है; और

(घ) यदि नहीं, तो इसका क्या कारण है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). It is proposed to issue gradually Hindi editions of official publications, reports etc. of the Ministry of Railways.

(c) Hindi is not included at present as a subject for any recruitment or promotion examination conducted by Railways. But Gazetted Officers, recruited to Railway services, are required to pass a departmental language examination in Hindi in the lower standard before they are confirmed.

(d) Any decision in this context will have to be taken for Central Government employees as a whole.

Palam Air-Port

*1246. **Sardar Hukam Singh:** Will the Minister of **Communications** be pleased to state:

(a) whether any decision has been taken to transfer the control of Palam Air-Port to the Communications Ministry; and

(b) if so, whether any separate air-port is proposed to be built for the Air Force?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No, Sir.

(b) Does not arise.

Seamen's Hostel at Behala

*1250. **Shri H. N. Mukerjee:** Will the Minister of **Transport** be pleased to state:

(a) whether the attention of Government has been drawn to complaints regarding the working of "Navik Griha" (Seamen's Hostel) at Behala near Calcutta;

(b) the accommodation provided there and the proportion of such accommodation actually occupied by seamen on an average each month; and

(c) whether Government contemplate granting them "food loans"?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Only one complaint of a minor nature came to Government's notice which was found to be baseless on enquiry.

(b) The Nabik Griha can accommodate a maximum of 256 seamen at a time. The accommodation actually occupied by seamen on an

average each month since the opening of the hostel on the 10th February was as under:—

10th to 28th February, 1954	about 17 per cent.
March, 1954	„ 21 per cent.
April, 1954	„ 28 per cent.
May, 1954	„ 23 per cent.
June, 1954	„ 28 per cent.
July, 1954	„ 25 per cent.
August, 1954	„ 29 per cent.

(c) No such proposal is under consideration of Government.

KRISHNA BRIDGE

*1254. **Shri Raghuramaiah:** Will the Minister of **Transport** be pleased to state:

(a) whether the Central share of the construction cost of the regulator-*cum*-road bridge over the River Krishna near Vijayawada has been fixed; and

(b) if so, the amount so fixed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Rs. 39·08 lakhs.

INDIAN SHIPPING

*1256. **Sardar Hukam Singh:** Will the Minister of **Transport** be pleased to state:

(a) the percentage of the total quantity of goods purchased by the Indian Stores Department carried by the Indian Mercantile Shipping during 1953-54; and

(b) the number of ships added to the Indian Mercantile Shipping during the last twelve months?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) About 40 per cent., roughly.

(b) 15 ships of 51,400 gross registered tons during the period from September, 1953 to August, 1954.

EMPLOYMENT IN RAILWAYS

*1258. **Shri H. N. Mukerjee:** Will the Minister of **Railways** be pleased to state:

(a) whether the attention of Government has been drawn to an editorial comment in "Amrita Bazar Patrika" (Calcutta edition) dated the 17th August, 1954, regarding absorption in Railway service of the employees of a long established catering concern; and

(b) if so, what action is proposed to be taken in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) Of these some have been absorbed by Railways in their departmental catering establishments and some more by other contractors.

DROUGHT CONDITIONS IN STATES

*1260. **Dr. Ram Subhag Singh:**
Shri Kasliwal:
Shri P. L. Barupal:
Shri Sadhan Gupta:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that the failure of Monsoon has created drought and near drought conditions in certain parts of the country;

(b) if so, the names of the areas where drought conditions prevail; and

(c) the extent to which these drought conditions have caused damage to the crops and fodder?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) Drought conditions prevail in parts of Orissa, South Bihar, Ajmer, Punjab and West Rajasthan.

(c) It has not so far been possible to assess the extent of damage caused to the crops.

TELEGRAPH OFFICES IN RAJASTHAN DISTRICT HEADQUARTERS

594. **Shri Karni Singhji:** Will the Minister of **Communications** be pleased to state the number of District Headquarters in Rajasthan where there are no telegraph offices?

The Deputy Minister of Communications (Shri Raj Bahadur): All the 25 Districts Headquarters have got Telegraph facilities.

BURDWAN R.M.S. OFFICE

595. **Shri Ramananda Das:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that the accommodation in the building in which the Burdwan R.M.S. office is located is so crammed that it is not possible to place required number of sorting cases there; and

(b) if so, what action Government propose to take in the matter?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) There is scarcity of space in the building in which the Burdwan R. M. S. office is located.

(b) The Postmaster-General, Bihar, is fully alive to the need for more space for this office and has been taking all possible steps to remove the shortage.

PUNJAB RICE

596. **Shri D. C. Sharma:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total quantity of rice supplied by the Government of Punjab both to the Centre and different States from 1946 to 1953, separately, yearwise; and

(b) what are the rates per maund of different kinds of rice supplied by the Punjab Government?

The Minister of Food and Agriculture (Shri Kidwai): (a) The present Punjab State came into existence from 15th August, 1947. The Government of Punjab started exporting rice only from 1949. A statement is placed on the Table of the House showing quantities of rice supplied by Punjab to each State during the years 1949 to 1953. [*See* Appendix VIII, annexure No. 9.]

No quantity was supplied to Central Reserve during these years.

(b) Two statements are placed on the Table of the House. [*See* Appendix VIII, annexure No. 10.]

ELECTRIFICATION OF PLATFORMS ON THE NORTHERN RAILWAY

597. **Shri D. C. Sharma:** Will the Minister of **Railways** be pleased to state the number of Railway Stations and their names on the Northern Railway where electric lighting and installations of fans on platforms have been proposed to be undertaken under the amenities programme chalked out recently?

The Deputy Minister of Railways and Transport (Shri Alagesan): 130 Railway stations on the Northern Railway as per enclosed list [*See* Appendix VIII, annexure No. 11], are proposed for Electrification in the Programme for the Passenger Amenities during the years 1954-55 to 1958-59, subject to the availability of funds and Electric Power from the Punjab Grid System or other local sources.

NON-PAYMENT OF SUGARCANE PRICES

598. **Shri Jhulan Sinha:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that large sums of unclaimed sugarcane price have been lying with the sugar factories for years in Bihar and other States;

(b) if so, the amounts lying Statewise;

(c) why such arrears are outstanding settlement; and

(d) whether Government propose to spend this amount for cane development?

The Minister of Food and Agriculture (Shri Kidwai): (a) to (c). A statement showing the arrears of cane prices outstanding against the sugar factories for the years 1950-51, 1951-52, 1952-53 and 1953-54, is laid on the Table of the Lok Sabha. [*See* Appendix VIII, annexure No. 12]. Some of these dues are outstanding due to the fact that the cane growers have not demanded payment either because they are dead or because they are unable to produce the receipts for supply of cane.

The State Governments report that in other cases payment of arrears is continuing.

(d) No, Sir, because the arrears represent genuine claims of growers and until payment is actually made, the liability of the factory remains undischarged.

I.M.C.O. CONVENTION

599. Shri Krishnacharya Joshi: Will the Minister of **Transport** be pleased to state:

(a) whether the three Resolutions adopted at the 15th Session of the Economic and Social Council, on Pollution of Sea water, Ratification of I.M.C.O. Convention and Roads Signs and Signals were again discussed at its Seventeenth Session at New York in March, 1954; and

(b) if so, what are the decisions arrived at?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) A statement containing the required information is laid on the Table of the Sabha. [*See* Appendix VIII, annexure No. 13].

PILOT DEVELOPMENT PROJECTS

600. Shri Radha Raman: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the progress made in the Pilot Development Projects, Extension Wings and the Extension Training Centres which are being financed by the Ford Foundation;

(b) the amount spent so far on these Schemes;

(c) the number of foreign experts who are working under these Schemes; and

(d) for how long they will continue to do so?

The Minister of Food and Agriculture (Shri Kidwai): (a) A statement is laid on the Table of the House. [*See* Appendix VIII, annexure No. 14].

(b) Approximately Rs. 77,05,700/- were spent upto 31st March, 1954.

(c) Five.

(d) The assignments of these foreign experts vary from twelve to eighteen months.

UNAUTHORISED TRANSMITTERS

601. Shri Bahadur Singh: Will the Minister of **Communications** be pleased to state:

(a) whether any illegal transmitters engaged in unauthorised broadcasting were detected and seized by the checks exercised by the monitoring station since the 1st January 1954 to 31st August, 1954; and

(b) if so, their number?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) Twenty-one upto 15th August, 1954. This number does not include information in respect of some districts of Madras and Uttar Pradesh States and it also does not include information in respect of Andhra, Bihar, Bilaspur, Jammu and Kashmir, Madhya

Pradesh, Manipur, Orissa, Punjab and Tripura, which is still awaited from the respective States and it will be furnished after it is received from them.

D.T.S. PASSES TO PRESS REPRESENTATIVES

602. Shri Krishna Chandra: Will the Minister of **Transport** be pleased to state:

(a) whether the scheme of all-route free passes for the representatives of the Press has been introduced by the Delhi Road Transport Authority; and

(b) if so, the number of passes so far issued and to whom they have been issued?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Twenty-five. A statement showing the names of persons in whose favour these passes have been issued and the Newspapers or News-Agencies whom they represent is placed on the Table of the Sabha. [*See* Appendix VIII, annexure No. 15].

डाक जीवन बीमा योजना

६०३. श्री भागवत झा आजाद : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) दिसम्बर, १९५३ तक डाक जीवन बीमा योजना के अन्तर्गत पालिसी लेने वालों की संख्या क्या है;

(ख) इन पालिसियों की कुल राशि कितनी है; और

(ग) १९५४ की पहली छमाही में उनकी संख्या में कितने प्रतिशत वृद्धि हुई है ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 1,05,563.

(b) Rs. 24,31,89,988

(c) 5.7 per cent.

AGRICULTURAL RESEARCH SCHEMES

604. Shri V. Missir: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of research schemes sponsored by the Indian Council of Agricultural Research in collaboration with the State Governments during the year 1954-55; and

(b) the subjects on which the research is to be done?

The Minister of Food and Agriculture (Shri Kidwai): (a) 176

(b) A statement is laid on the Table of the House. [*See* Appendix VIII, annexure No. 16].

ROADS

605. Shri M. S. Gurupadaswamy: Will the Minister of **Transport** be pleased to state:

(a) the total mileage of roads that have been constructed so far under the first Five Year Plan;

(b) the total amount of money spent on the construction of these roads;

(c) whether it is a fact that the progress made so far in the road construction is far behind the schedule; and

(d) if so, the reasons for the slow progress?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The construction of States roads for which provision has been made in the States Sector of the first Five-Year Plan is primarily the concern of the State Governments. Under the programmes of road development provided for in the Central Sector of the Plan, so far 619 miles of new roads have been constructed.

(b) The total amount spent from 1951-52 to 1953-54 on the construction of new roads under the Central Sector of the Plan is Rs. 5.14 crores.

(c) and (d). The progress is generally satisfactory.

दिल्ली के बाजारों में सफाई

६०६. **श्री नवल प्रभाकर:** क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या दिल्ली नगरपालिका के क्षेत्र में विस्थापित व्यक्तियों के लिये बनाये गये बारह बाजारों में सफाई का प्रबन्ध असन्तोषजनक है; और

(ख) यदि हां, तो इन बाजारों की दशा सुधारने के लिये क्या कार्यवाही की गयी है ?

The Minister of Health (Rajkumari Amrit Kaur): (a) The sanitary arrangements are not entirely satisfactory.

(b) The Delhi State Government are taking necessary steps in consultation with the Delhi Municipal Committee to bring about the desired improvements.

ROAD TRANSPORT

607. Sardar Hukam Singh: Will the Minister of **Transport** be pleased to state the policy of the Government of India towards the future expansion of road transport (motor) service in the country?

The Deputy Minister of Railways and Transport (Shri Alagesan): Under the Constitution, the subject of road transport services falls within the executive jurisdiction of the State Governments, who are primarily responsible for policy decisions on the subject. The Government of India are, however, interested in the coordinated development of road and rail transport and their views on the manner in which this coordination should be effected are embodied in the Road Transport Corporations Act of 1950.

DELIVERY OF RAILWAY PARCELS

608. Shri Viswanatha Reddy: Will the Minister of **Railways** be pleased to state:

(a) whether there is any proposal to introduce in Delhi the scheme of collection and street delivery of Railway parcels, as in Madras; and

(b) whether representations have been made in this regard?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). No, Sir.

SPECIAL TRAINS

609. Shri U. M. Trivedi: Will the Minister of **Railways** be pleased to state:

(a) the number of special trains that were run to Ajmer during the last All India Congress Committee meeting in July 1954;

(b) the names of the places from where they were run; and

(c) whether it is a fact that the average number of passengers which travelled by these special trains was less than ten?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Seven.

(b) Delhi, Neemuch, Marwar Junction, Bandikui, Bhilwara and Phulera.

(c) No.

DEMONSTRATION BY SEAMEN IN BOMBAY

610. Shri Gidwani: Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that there was a demonstration of seamen in front of Seamen's Employment Office at Ballard Estate, Bombay on the 18th August, 1954; and

(b) if so, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Does not arise.

WAGONS

611. Shri Ramananda Das: Will the Minister of **Railways** be pleased to state:

(a) the total number of wagons lying unused on the different Railways;

(b) the reasons thereof; and

(c) whether some of these wagons are used after minor repair and some are sold or used as iron or scrap iron?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A statement showing the position on each Railway is enclosed. [*See* Appendix VIII, annexure No. 17].

(c) Yes, wagons which can be so used, are put back into service after repairs. Wagons which are uneconomical to repair are usually cut up or sold after reclaiming the serviceable parts.

SHIFTING OF SUGAR MILLS

612. Shri Wodeyar: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of applications that are pending consideration before Government in regard to the opening of sugar factories in South India;

(b) the names of the places where sugar factories are permitted to be opened at present;

(c) the names of the persons who have been given permission to open their factories; and

(d) whether the Government of India have promised or paid any money to help these factories?

The Minister of Food and Agriculture (Shri Kidwai): (a) 25.

(b) and (c). Licences have been granted to the following concerns for establishment of new sugar factories in South India:

Serial No.	Name of concern	Location
1.	Shri Muljibhai P. Madhwani, Singara Estate, Coonoor, Mysore.	Shimoga (Mysore).
2.	M/s. Thiruvannamalai Sugar Mills Ltd., Thiruvannamalai, District North Arcot. (Madras).	Thiruvannamalai. (Madras).
3.	M/s. Challapalle Sugar Ltd., Challapalle, Distt. Kistna.	Challapalle (Madras).
4.	M/s. Kulittalai Sugar Factory, Ltd., Kulittalai (Madras).	Kulittalai (Madras).
5.	M/s. V. S. Thyagaraja Mudaliar, 53, Peters Road, Madras.	Vedapathimangalam (Madras).
6.	Shri V. D. Chitale, 31, Western India House, Bombay.	Malsiras (Bombay).
7.	M/s. Parry & Co. Ltd., Madras	Kolianur (Madras).

(d) No. Sir.

छपरा स्टेशन पर प्रतीक्षालय

६१३. श्री एम० एन० सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे :

(क) क्या उत्तर-पूर्व रेलवे के छपरा स्टेशन के तीसरे दरजे के प्रतीक्षालय को सुधारने और प्लेटफार्म पर छत डालने के लिये कुछ समय पहले मंजूरी दी गयी थी;

(ख) यदि हां, तो क्या वे दोनों कार्य अब पूरे हो चुके हैं; और

(ग) यदि नहीं, तो इसका क्या कारण है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Not yet, Sir.

(c) Passenger amenity works have necessarily to be provided on a programme basis. Annual programmes for such works are drawn up by the Passenger Amenity Committee, keeping in view the availability of funds, relative importance, urgency and need for works at different stations. Improvements to the Waiting hall, and extension of the existing covering of platform at Chupra station are expected to be included in a new future programme.

TEA WARE-HOUSES

614. Shri K. P. Tripathi: Will the Minister of **Transport** be pleased to state:

(a) whether Balmer Laurie and Company have been given monopoly rights over tea ware-houses in Calcutta by the Port Commissioners;

(b) whether private parties applied to rent ware-houses but were refused, although empty ware-houses were there, earmarked for Balmer Laurie and Company; and

(c) whether any action is contemplated by Government in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) No. All parties who applied for space for storage of tea in the Commissioners' warehouses prior to the 25th July, 1954, were allotted space according to their requirements. Applications received after the 25th July, 1954, for renting warehousing space of more than 3,000 sq. ft. had to be turned down by the Port Commissioners, as no space was available.

(c) Does not arise.

DELHI-GAUHATI AIR SERVICE

615. Shri Gohain: Will the Minister of **Communications** be pleased to state:

(a) when the direct Air Service between Gauhati and New Delhi will be resumed; and

(b) whether Government are aware that the Delhi-bound Assam passengers are facing inconvenience on account of the discontinuance of this service?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) There is no proposal at present to operate a direct service between Gauhati and New Delhi.

(b) The passengers from Assam can travel to Calcutta by the day services and can get connection to Delhi, Bombay, Madras etc., by the night airmail service.

EASTERN RAILWAY ACCOUNTS DEPARTMENT

616. Shri H. N. Mukerjee: Will the Minister of **Railways** be pleased to state whether it is a fact that although scales of pay of Upper Division Clerks under the Comptroller and Auditor-General and of Class I clerks of Railway Accounts Department (Eastern Railway) are identical, those among the latter who have passed Appendix II Examination are not given the higher starting pay of Rs. 100 as admissible to the former?

The Deputy Minister of Railways and Transport (Shri Alagesan): Yes. The reason for the difference is that both the nature of work and the qualifications prescribed for recruitment of the two sets of staff differ widely.

GOLE-BOWRINGPAT RAILWAY LINK

617. Shri Viswanatha Reddy: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that an Ongole-Cuddapah-Bowringpat rail link is being investigated for inclusion in the second Five Year Plan; and

(b) if so, whether the possibility and the desirability of such a link has finally been decided?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No decision has yet been reached as to the particular projects which should be taken up for construction during the Second Five Year Plan.

(b) Does not arise.

GUNTAKAL DISTRICT SOUTHERN RAILWAY

618. Shri Viswanatha Reddy: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the metre-gauge section of the Guntakal District in the Southern Railway has been allotted 70 locomotives from the imports this year;

(b) whether some of these locomotives will be put in use on the Pakala-Dharmavaram Section; and

(c) whether the track in the Pakala-Dharmavaram Section will be strengthened this year in order to make it suitable for these heavier locomotives?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No, Sir. The distribution to districts of the locomotives on order has not yet been decided by the Southern Railway.

(b) No. They cannot run on this section until the track has been strengthened.

(c) About 90 miles of the track may be strengthened by 1955-56 and the remaining 51 miles probably by 1957-58.

OIL SEEDS

619. Shri Viswanatha Reddy: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the extent to which the target fixed for the production of oil seeds in the Five Year Plan has been fulfilled;

(b) the expected short-fall at the end of the Plan period; and

(c) the main reasons therefor?

The Minister of Food and Agriculture (Shri Kidwai): (a) The target fixed for the production of oilseeds in the Five Year Plan has been achieved already.

(b) and (c). Do not arise.

P. & T. TRAINING CENTRE

620. Shri T. B. Vittal Rao: Will the Minister of **Communications** be pleased to state:

(a) whether any building has since been acquired by Government to house the Posts and Telegraphs Training Centre at Hyderabad; and

(b) if not, the steps that Government propose to take in this direction?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No.

(b) It is proposed to acquire a plot of land for construction of a Departmental building.

RAILWAY STALL CONTRACTORS FEE

621. Shri Muniswamy: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the stall contractor's fee is abnormally high on the Southern Railway as compared to other Indian Railways; and

(b) if so, whether Government propose to fix a uniform rate on all the Railways?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Such a comparison is not feasible as Railways fix licence fees after taking into account the merits of each case based on the sale potential and the conditions locally prevailing. The feasibility of securing greater uniformity in licence fees now charged on the different Railways is, however, under examination at present along with all aspects of catering on Indian Railways.

SASTRI AWARD

622. Shri V. P. Nayar: Will the Minister of **Labour** be pleased to state the period for which the appeal of the Bank Employees Union and other appeals on the Sastri Award, published in April 1953, were pending before the Labour Appellate Tribunal in Bombay?

The Minister of Labour (Shri K. K. Desai): Nearly a year.

केदारनाथ तीर्थस्थान में बेतार केन्द्र

६२३. श्री भक्त दर्शन : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हिमालय के तीर्थस्थान केदारनाथ में बेतार का केन्द्र स्थापित करने का विचार है; और

(ख) यदि हां, तो उस केन्द्र के कब तक स्थापित हो जाने की आशा है ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The case is under consideration.

(b) Does not arise.

CENTENARY EXHIBITION TRAIN IN ORISSA

624. Shri Sanganna: Will the Minister of **Railways** be pleased to state:

(a) whether the Centenary Exhibition Train went round Orissa in the months of July and August, 1954;

(b) if so, the names of the places where the train halted;

(c) the number of persons who visited this train at all these places; and

(d) the income and expenditure involved in the trip to Orissa?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The Centenary Exhibition Train visited stations in Orissa in the months of June and July, 1954.

(b) Puri, Cuttack and Sambalpur.

(c) 58,528.

(d) *Income*: Rs. 12,996/8/-.

Expenditure: Separate figures regarding expenditure in connection with the visit of the Train to Orissa Stations alone are not available.

SUGARCANE

625. Shri Ram Dass: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total quantity of sugar-cane consumed in the sugar mills in the States of Punjab, PEPSU and Himachal Pradesh during 1952-53 and 1953-54; and

(b) the number of sugar mills in the above States which prepare sugar from *gur*?

The Minister of Food and Agriculture (Shri Kidwai): (a)—

	1952-53 (Lakh maunds)	1953-54 Lakh maunds)
Punjab . .	31·27	30·90
PEPSU . .	49·76	34·91
Himachal Pradesh	*Nil*	*Nil*

(b) No sugar mill in the above States produced sugar from *gur* either in 1952-53 or 1953-54.

PALGHAT POST OFFICE

626. Shri I. Eacharan: Will the Minister of **Communications** be pleased to state:

(a) the number of cases of loss of cash and disappearance of insured parcels that occurred in the Head Post Office at Palghat during the last four years;

(b) the steps that have been taken to trace the guilty persons and the results achieved; and

(c) the measures that have been taken to prevent the recurrence of such cases?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 1950-51 *Nil*.

1951-52 There were two cases of loss of cash and one of loss of insured letters (not parcels). In the latter case 3 insured letters to the aggregate value of Rs. 2,100 were lost.

1952-53 *Nil*.

1953-54 *Nil*.

(b) All the cases were reported to the Police, who could not trace the culprits.

(c) Monetary responsibility was enforced on the officials for the negligence shown by them and this had the desired deterrent effect.

ACCIDENTS IN MINES

627. Shri T. B. Vittal Rao: Will the Minister of **Labour** be pleased to state:

(a) the number of workers injured in non-fatal accidents and disabled for a week or more in Coal, Gold, Mica and Manganese mines during 1953;

(b) how these figures compare with those of 1952; and

(c) the steps that are being taken to reduce accidents in these mines?

The Minister of Labour (Shri K. K. Desai): (a) and (b). A statement is placed on the Table of the Sabha. (*See* Appendix VIII, annexure No. 18) A serious injury is one in which a person sustains permanent loss or injury to the sight or hearing or a fracture of any limb, or in which he is forced to remain away from work for a period exceeding 20 days. Information relating to accidents which are of less serious nature is at present not collected but it is proposed to prescribe a 'register of minor accidents' under the draft Mines Rules published recently for criticism.

(c) The Department of Mines is taking all precautionary measures to ensure safety at work by enforcing the provisions of the Mines Act, and the rules, regulations and byelaws framed thereunder. The Regulations are under revision and their enforcement will make mining safer still. Steps are also being taken to increase the frequency of inspection.

NORTH EASTERN RAILWAY

628. Th. Jugal Kishore Sinha: Will the Minister of **Railways** be pleased to state the period of time that will be taken to repair the approach roads of different Railway goods-sheds and stations on the North Eastern Railway that became impassable recently due to floods?

The Deputy Minister of Railways and Transport (Shri Alagesan): In most of such cases the roads though submerged were not damaged. Necessary repairs have either been carried out or will be carried out when flood water subsides and local conditions permit.

POST OFFICES IN SITAMARHI

629. Th. Jugal Kishore Sinha: Will the Minister of **Communications** be pleased to state the names of the new post offices that will be opened in Sitamarhi Sub-division in pursuance of the recent policy of Government to have a post office for each group of villages with a population of 2,000 or more?

The Deputy Minister of Communications (Shri Raj Bahadur): A statement is laid on the Table of the House. (*See* Appendix VIII, annexure No. 19).

"LUBAN CLOVER" FERTILIZER

630. Shri Buchhikotaiah: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that some efforts are being made to multiply the seeds of fertilising crop known as "Luban Clover" in Uttar Pradesh;

(b) if so, the manner in which it will be used as fertiliser; and

(c) the speciality of this crop as compared to the other fertiliser crops?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes. Efforts are being made to multiply the seeds of Hubam Clover (not Luban Clover as mentioned in the question) in Uttar Pradesh. The seeds of this clover were obtained from America and by now about five maunds of the seed of this plant have been produced.

(b) It is suitable for being grown after late paddy where no other legume can grow under unirrigated conditions. Hubam Clover will improve the fertility of late paddy fields and consequently bring about increase in average yields of paddy.

(c) Hubam Clover is a hardy variety of clover, rather coarse in comparison to berseem and is not relished by

the cattle to the same extent as berseem. It can grow without irrigation, which is its speciality. It is, therefore, most suitable for being grown during the months of November to April after late paddy has been harvested where berseem would not grow under unirrigated conditions. This is a fertilising clover crop like berseem but unlike berseem it does not require irrigation.

WATER-LOGGED AREAS NEAR HOWRAH RAILWAY STATION

631. Shri N. B. Chowdhury: Will the Minister of **Railways** be pleased to state:

(a) whether there is any proposal before Government to lease out the tanks on Railway land near Howrah Station for fishery purposes; and

(b) if so, whether it will be leased out to the West Bengal State Government or direct to any private individual?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No, Sir.

(b) Does not arise.

TICKETLESS TRAVEL

632. Shri Sanganna: Will the Minister of **Railways** be pleased to state:

(a) whether special concentrated checks under the personal supervision of the Commercial Officers were conducted on the Parlakimedi Light Railway line and the Waltair-Raipur Railway line (Eastern Railway Zone) during the years 1953 and 1954 (upto-date) in respect of ticketless travelling; and

(b) if so, the results thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, from 1st April, 1953.

(b) The results are as follows:—

From 1st April, 1953 to 10th Sept., 1954

	Parlakimedi light Railway	Waltair-Raipur Section
(1) No. of checks made	56	11
(2) No. of persons prosecuted.	1,119	49
(3) No. of persons discharged after collecting fares, etc.	534	19
(4) Amounts realised:		
	Rs.	Rs.
(*i*) Fare	5,679	325
(*ii*) Penalty	1,624	114
(*iii*) Fines	2,757	67

EMPLOYMENT EXCHANGES IN MADHYA PRADESH

633. Shri N. A. Borkar: Will the Minister of **Labour** be pleased to state:

(a) the total number of *ex*-servicemen registered in the Employment Exchanges in Madhya Pradesh during the last three years;

(b) the number of persons who secured employment through the Exchange during the above period; and

(c) the number of Scheduled Castes among them?

The Minister of Labour (Shri K. K. Desai): (a) 6,177 during the period August, 1951, to July, 1954.

(b) 1,501.

(c) Information is not available as separate statistics pertaining to Scheduled Caste *Ex*-servicemen are not maintained.

FOOD STOCK

634. Shri N. M. Lingam: Will the Minister of **Food and Agriculture** be pleased to state the quantity of food grains held by the various State Governments at the time of announcement of decontrol throughout the country?

The Minister of Food and Agriculture (Shri Kidwai): A statement is laid on the Table of the House. (*See* Appendix VIII, annexure No. 20)

IMPORT OF SUGAR

635. Shri K. C. Sodhia: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the probable cost of sugar proposed to be imported during the current year; and

(b) the period for which sugar would continue to be imported in the country?

The Minister of Food and Agriculture (Shri Kidwai): (a) The probable C. & F. cost of 6,90,000 tons of refined sugar proposed to be imported during the period April—December, 1954, is Rs. 35,42,53,000/-.

(b) As long as indigenous production of sugar is found insufficient to meet the internal requirements.

RAILWAYMEN INVOLVED IN RAIL-ACCIDENTS

636. Shri Sadhan Gupta: Will the Minister of **Railways** be pleased to state:

(a) whether any railwaymen lost their lives recently due to accidents in the Alipurduar District of the Eastern Railway;

(b) if so, the nature and causes of these accidents; and

(c) the action taken by Government in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). At about 3-00 hours on 23rd August, 1954, when the Inspector of Works, Mal Junction and his Trolleyman was proceeding on a Light Engine over the Hathinala Bridge to inspect its safety, in view of abnormal floods in the river, the engine went down into the river, due *prima facie* to the collapse of a pier of the Bridge under it. Except the Inspector of Works, who was found on 30th August, 1954, in an exhausted condition and is now in hospital, the other four are presumed to have died.

Alipurduar District is on the North Eastern Railway, not on the Eastern Railway as stated in the question.

(c) As this is an unusual occurrence, no specific action can be taken for the prevention of similar cases.

BREACHES IN ASSAM LINK

637. Shri Sadhan Gupta: Will the Minister of **Railways** be pleased to state:

(a) the number of places where there have been breaches in the new Assam Link line and in the railway lines in the Alipurduar District in North Eastern Railway;

(b) the number of cases in which there have been breaches in previous years also; and

(c) the steps that have been taken by Government to see that breaches in the line do not recur in future?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The number of places where there have been breaches to the new Assam Rail Link is 28 and the number in the lines in the Alipurduar Division of the North Eastern Railway is 51.

(b) Seven of the places breached in 1952 have again been breached this year.

(c) The steps to be taken by the Railway will be decided in the light of the recommendations of the Joint Committee of the State Authorities and the Railway on the measures necessary to avoid damages by floods.

TOURIST PUBLICITY

638. Mulla Abdullabhai: Will the Minister of **Transport** be pleased to state the amount spent on Tourist publicity in (i) India and (ii) outside India in 1953-54?

The Deputy Minister of Railways and Transport (Shri Alagesan): Tourist Publicity material is generally produced in India and distributed both in India and abroad. Separate figures of expenditure are not at present maintained. The total expenditure during 1953-54 was Rs. 2,54,800/-.

BRIDGES IN ASSAM

639. Shri K. P. Tripathi: Will the Minister of **Railways** be pleased to state:

(a) whether the construction of the new bridge on the river near Misamari Station in Assam has been completed; and

(b) if so, what is proposed to be done with the old bridge?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 98 per cent. work of construction of the new bridge has been completed.

(b) The old bridge is proposed to be dismantled as neither the Defence Department nor the Government of Assam are interested in the purchase of the old bridge for using it as a road bridge.

DRESS OF INDIAN AIRLINES HOSTESSES

640. { **Dr. Ram Subhag Singh:** **Shrimati Renu Chakravartty:**

Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that uniforms of hostesses of the Indian Air Lines are proposed to be standardized; and

(b) if so, what are the details of the proposal?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes, Sir.

(b) The matter is being examined. No proposals have yet been formulated.

डी० टी० एस० के किराये

६४१. **श्री नवल प्रभाकर :** क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली ट्रांसपोर्ट सर्विस की बसों के किराये में कमी की जा रही है ; और

(ख) यदि हां, तो यह कमी कब से होगी ?

LOUSHIPAT AREA

642. Shri Rishang Keishing: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the acreage of land brought under cultivation in the Loushipat area (Manipur) during 1952-53 and 1953-54;

(b) the amount contributed by Government; and

(c) the revenue to be collected annually by Government from the reclaimed land?

The Minister of Food and Agriculture (Shri Kidwai): (a) to (c). The required information is not available and has been called for from the State Government. It will be laid on the Table of the Sabha as soon as received.

प्लेटफार्मों पर छत डालना

६४३. **श्री जी० एल० चौधरी :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५३-५४ में उत्तर-पूर्व रेलवे के जिन प्लेटफार्मों पर छत डालने के कार्य के लिये मंजूरी दी गई थी उसमें क्या प्रगति हुई है; और

(ख) १९५२-५३ में जिन स्टेशनों के प्लेटफार्मों की छतें बनाने के लिये स्वीकृति

दी गई थी उनमें से कितने स्टेशनों पर यह कार्य पूरा हो चुका है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) At two stations work has been completed. At three stations about 75 per cent. has been completed. At five stations work has recently been taken in hand. At four stations materials are being collected. At one station work will be started after certain track alterations are done.

(b) Ten.

OVERSEER COURSE

644. Shri Ram Saran: Will the Minister of **Labour** be pleased to state:

(a) whether under the Technical Training Scheme of the Ministry any training is given for the 'Overseer Course';

(b) if so, the places where such training is being given at present; and

(c) whether the diploma given is recognised by the Central and the State Governments?

The Minister of Labour (Shri K. K. Desai): (a) and (b). Training in the Overseer Course which was being given till recently at the Training Centres/Institutes at Calcutta, Koni-Bilaspur (Madhya Pradesh) and Benaras, has been abolished with effect from the current session which started in August, 1954. The question of reviving this course is under consideration.

(c) The Diploma awarded by this Ministry for this trade has so far been recognised by the Governments of Assam, Delhi, Bihar, PEPSU and Himachal Pradesh. The Government of Madhya Pradesh recognised it for the Sub-Overseer cadre of their service. The question of recognition of this Diploma for posts under the Central Government is still under consideration.

NATIONAL MALARIA CONTROL PROGRAMME

645. Shri C. R. Chowdary: Will the Minister of **Health** be pleased to state the amount of aid given to the Government of Andhra in 1953 and upto the end of August, 1954 under the National Malaria Control Scheme?

The Minister of Health (Rajkumari Amrit Kaur): The amount of aid given by the Government of India to Andhra State under the National Malaria Control scheme in 1953 and upto the end of August, 1954, is as follows:—

	Material	Estimated cost.
		Rs.
D.D.T.	2,82,135 lbs.	4,64,976
Microscopes	2	3,670
Jeeps	2	16,010
Antarox	372 lbs.	760
		4,84,816
Resochin tablets	96,666 nos.	

ACCIDENT IN ALUMINIUM FACTORY, ASANSOL

646. Shri K. K. Basu: Will the Minister of **Labour** be pleased to state:

(a) whether any accident occurred in J. K. Aluminium Factory at Asansol in May 1954;

(b) if so, what was the cause thereof;

(c) the number of persons who sustained injuries;

(d) whether any enquiry committee has been appointed; and

(e) whether any action has been taken against the persons responsible for this accident?

The Minister of Labour (Shri K. K. Desai): (a) Yes.

(b) While removing the discharge valve at the bottom of an autoclave which has been emptied and thrown out of commission for three days, caustic soda solution which might have been left in the autoclave splashed on the workers engaged in removing the valve.

(c) Five. Of these, three died later in the hospital. The other two received only minor injuries.

(d) An enquiry was conducted by the Inspector of Factories.

(e) The Chief Inspector of Factories, West Bengal, reviewed the case and was satisfied that the responsibility for the accident could not be attributed to any person. He has taken steps to prevent accidents of this nature in future.

OVERBRIDGES IN GUNTUR AND TENALI

647. Shri Raghuramaiah: Will the Minister of Railways be pleased to state:

(a) whether any representation has been received urging the necessity of constructing bridges over the Railway lines in the congested areas of the towns of Guntur and Tenali in the Andhra State; and

(b) if so, the decision that has been taken thereon?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) A Road-overbridge in place of the existing level crossing on the Guntur-Amaravathi Road is proposed to be included in the Budget for 1955-56.

The provision of an over-bridge at Tenali has not been recommended by the State Government so far.

माल गाड़ियों की औसत चाल

६४८. **श्री रघुनाथ सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि उत्तर-पूर्व रेलवे की मालगाड़ियों की प्रति घंटा चाल कितनी है और प्रति वर्ष एक डिब्बे में औसतन कितनी बार माल लादा जाता है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): The average speed per hour of all goods trains on the North-Eastern Railway during 1953-54 was 7·38 miles on the Metre Gauge and 6·77 miles on the Narrow Gauge. On an average a Metre Gauge wagon was loaded 47 times on the North-Eastern Railway during the same year.

Vol. VII—No. 24
22nd September, 1954 (Wednesday)

LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

(Vol. VII contains Nos. 16—31)

LOK SABHA SECRETARIAT
NEW DELHI

SIX ANNAS (INLAND) TWO SHILLINGS (FOREIGN)

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LOK SABHA

Wednesday, 22nd September, 1954.

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See Part* I)

12 NOON

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

PRESENTATION OF TWELFTH REPORT

Shri Altekar (North Satara): I beg to present the Twelfth Report of the Committee on Private Members' Bills and Resolutions.

DISPLACED PERSONS (COMPENSATION AND REHABILITATION) BILL—*contd.*

Mr. Speaker: The House will now proceed with the legislative Business—further consideration of the following motion moved by Shri Bhonsle on the 21st September:

> "That the Bill to provide for the payment of compensation and rehabilitation grants to displaced persons and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

Now, of the six hours allotted to this Bill, 3 hours and 46 minutes have already been availed of yesterday, and two hours and fourteen minutes still remain. This will mean that discussion on this Bill will conclude by 2-15 P.M.

After this Bill, the House will take up consideration of the Constitution (Third Amendment) Bill. As the House is aware, six hours have been allotted for all the remaining stages of that Bill.

Now, before we proceed further, in view of the very short time at the disposal of the House so far as the discussion of the Displaced Persons Bill is concerned, I should like to be specific about the time to be taken on the remaining two stages of the Bill. The general discussion is going on and it has gone on for 3 hours and 46 minutes. So, how long shall we continue the general discussion? Is it the idea that the clauses will have a very short time, and then the third reading will be absolutely nominal?

Shri Gidwani (Thana): One hour may be given to the clauses.

Mr. Speaker: One hour for the clauses. And the third reading?

Shri Gidwani: Half an hour.

The Minister of Rehabilitation (Shri A. P. Jain): I think one hour more may be allotted for the general discussion, and say about 45 minutes for the clauses. There are not many amendments and the amendments are of a very simple nature. Half an hour may be allotted for the third reading. Perhaps one or two members of the House may like to speak in the general discussion. I will also require about half an hour to reply.

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): I think, Sir, your suggestion is much better, if I may suggest to my colleague, because

[Shri Jawaharlal Nehru]

once you spend the time in the first stages, you may be hard put to it in the later stages. It is far better to save time in the earlier stages.

Mr. Speaker: I am entirely in the hands of the House. I think I should fix one hour for the clauses and half an hour for the third reading. Now, let me make up the mathematics of this. 3 hours and 46 minutes out of 6 hours—so we shall continue the general discussion on the consideration motion for 45 minutes more.

The Minister of Food and Agriculture (Shri Kidwai): 44 minutes.

Mr. Speaker: Yes. We shall have 59 minutes for the next stage.

Some Hon. Members *rose—*

Mr. Speaker: Pandit Thakur Das Bhargava.

Pandit Thakur Das Bhargava *rose—*

Mr. Speaker: There are only 45 minutes that remain now and there are some three or four speakers as I see. They could be very well adjusted in the time-limit of 15 minutes.

Shri A. P. Jain: In fact, even one of the speakers has spoken for half an hour, and the general discussion has been going in for nearly four hours. I will require at least half an hour to reply.

Mr. Speaker: I was not thinking of the Minister's reply. I was thinking of the time to be given to the hon. Members who wish to speak. But the Hon'ble Minister will take half an hour. Then, practically one speaker for 15 minutes is left.

Pandit Thakur Das Bhargava.

पंडित ठाकुर दास भार्गव (गुड़गांव) : जहां तक इस बिल का ताल्लुक है इसके क्लाजेज पर मुझे ज्यादा बहस करने की जरूरत नहीं है सिवा एक क्लाज के जिसके लिये कल शाम मैं ने अमेंडमेंट दिया है । मुझे उम्मीद है, जैसा कि अभी हमारे आनरेबुल मिनिस्टर साहब ने फरमाया है, कि क्लाजेज के ऊपर ज्यादा बहस नहीं होगी और इस की खास वजह है क्योंकि यह बिल इस किस्म का है जिस पर कि क्लाजेज पर बहस हो ही नहीं सकती है। यह बिल एक स्केलिटन बिल है और जहां तक इसके उसूल का सवाल है उस पर सिलेक्ट कमेटी में ऐसी यूनैनिमिटी थी कि जिस चीज को हमने जैसा चाहा मिनिस्टर साहब मानते चले गये और इसलिये हमें इस में लम्बी चौड़ी बहस नहीं करनी है । आनरेबुल मिनिस्टर साहब ने खुली इजाजत दी कि जैसा चाहो कर लो । मैं अदब से अर्ज करूंगा कि ज्यादा झगड़ा तो तब पड़ेगा जब रूल्स बनेंगे । उसके वास्ते भी आनरेबुल मिनिस्टर साहब ने हमको यकीन दिला रखा है कि वह हमारे एक्सपीरियंस से, हमारी मदद और सलाह से रूल्स बनायेंगे और यह बिल उन बिलों में से है जिस पर सारे मेम्बरों की पूरी यूनैनिमिटी होगी । इस वास्ते मैं अर्ज करूंगा कि यह एक खुश किस्मत बिल है कि जिसमें मेम्बरों के दरमियान और गवर्नमेंट के दरमियान पूरी तरह से और अच्छी तरह यूनैनिमिटी है ।

एक चीज जिसका जिक्र कल मेरे बुजर्ग श्री पुरुषोत्तम दास टंडन ने किया, उसके मुताल्लिक मुझे चन्द अलफाज कहने हैं । उन्होंने हाउस में कल यह फरमाया कि यह जो पबलिक इंस्टीट्यूशंज और पबलिक बाडीज को कम्पेन्सेशन पूल में से निकाल दिया गया है, यह गलत हुआ है । अब वह जो कुछ इर्शाद फरमायें उसको मैं कंट्रेडिक्ट करने को तैयार नहीं हूं । मुमकिन है हमने गलती की हो लेकिन जिन वजूहात से हमने ऐसा किया उनको मैं अर्ज करना चाहता हूं । एक तो यह बात थी कि हमारे पास कोई comparable प्रापर्टीज नहीं थी वहां के इवैकुई प्रापर्टी की । कोई ऐसे पबलिक इंस्टीट्यूट्स और पबलिक ट्रस्ट नहीं थे जिनके रुपये से उस डिमांड को पूरा किया जा सकता । इसके अलावा आनरेबुल मिनिस्टर ने यह फरमाया कि २५ लाख रुपया तकरीबन गवर्नमेंट पबलिक ट्रस्ट और पबलिक इंस्टीट्यूट्स को दे चुकी है और गवर्नमेंट की अपनी स्कीम में यह दर्ज था कि गवर्नमेंट बाँडियों को भी जितना

गवर्नमेंट मुनासिब समझेगी मदद देगी और काफी मदद देगी। इतना ही नहीं बल्कि गवर्नमेंट की तो यह भी ख्वाहिश थी कि उनको और भी ज्यादा लिबरली मदद दी जाय। ऐसी सूरत में हमने यही मुनासिब समझा, गवर्नमेंट की मंशा नहीं थी। हमने जो कमेटी के मेम्बर थे उसको मंजूर किया कि कम्पेन्सेशन पूल में से इस रकम को बाहर निकाल दिया जाय। ताकि वह कम न हो, क्योंकि हम जानते थे गवर्नमेंट इनको जरूर मदद देगी।

[SHRI BARMAN *in the Chair*]

लेकिन मैं इस क्रिटिसिज्म को जो हमारे बुजर्ग टंडन जी ने किया अब यह जितने इंस्टीट्यूट्स हैं यह गवर्नमेंट की खिदमत में कासा गदाई लेकर जायेंगे, गवर्नमेंट कोई मदद दे या न दे, इसको मैं महसूस करता हूं। इस सारे बिजनेस में, इस कम्पेन्सेशन के सारे बिजनेस में, मेरे हाथ में कासा गदाई है यह मैं नहीं मानता, लेकिन गवर्नमेंट से मैं कम्पेन्सेशन इस तरह से भी नहीं मांगता हूं कि जैसे कोई लड़ कर कुछ मांगता है। श्री विनोबा भावे ने, जिन्होंने इस देश के अन्दर एक बड़ा भारी यज्ञ चलाया है उनका मत है कि भूदान में जो लोग देते हैं वह दान के तौर पर नहीं देते हैं, वह अपनी सोशियल जस्टिस की जो डिमांड है उसको पूरा करते हैं। यह दान नहीं है, यह एक फर्ज की अदायगी है और वह कहते हैं कि आखिर में हमारे हाथ में सेप्टर आफ सोशियल जस्टिस है। यह जो कम्पेन्सेशन का पैसा हम मांगते हैं तो कहते हैं कि यह कासा गदाई है लेकिन इस कासा गदाई के पीछे मैं बताना चाहता हूं कि वह सोशियल जस्टिस की फोर्स है, महज एक बेगरी नहीं है। इसके अन्दर बड़ी भारी वजूहात हैं जिनकी वजह से अगर यह पबलिक इंस्टीट्यूशंस गवर्नमेंट से सहायता मांगेंगे तो गवर्नमेंट अगर उनकी मदद करेगी तो यह कोई उनके ऊपर कोई रियायत नहीं करेगी। गवर्नमेंट का फर्ज है कि वह ऐसी संस्थाओं को मुआविजा दे, उनको जिन्दा रखे, मुआविजे से ज्यादा दे क्योंकि एक पबलिक इंस्टीट्यूशन का हक मामूली आदमी के हक से ज्यादा होता है। अगर हमने गलती की तो वह जो गलती हमने की है तो उसके हिस्सेदार हमारे आनरेबुल मिनिस्टर भी हैं। वह खुद देख लेंगे कि अगर हमने गलती की तो वह उस गलती को मेक अप करेंगे और जितना उनका हक है उससे ज्यादा इमदाद देंगे। जनाबवाला, जहां तक कि इस सारे कम्पेन्सेशन बिल का सवाल है, मैं ने अर्ज किया है और मैं ने सिर्फ एक अमेंडमेंट दफा १४ पर भेजा है। दफा १४ पर मैं जनाब का ज्यादा वक्त नहीं लेना चाहता हूं। इस अमेंडमेंट के मुताल्लिक भी जो कुछ मुझे अर्ज करना है अभी बहुत कुछ अर्ज कर दूंगा और उस वक्त अगर जरूरत हुई तो उस अमेंडमेंट को सिर्फ मूव कर दूंगा।

जिस वक्त सन् १९४७ में हिन्दुस्तान के अन्दर पन्द्रह अगस्त को बराबर के कमरे में गवर्नमेंट ने शासन की बागडोर पंडित नेहरू के हाथ में सौंपी, उस वक्त देश का जो हाल था वह किसी से छिपा नहीं है। अमृतसर में और लाहौर में और देश के दूसरे हिस्सों में उस यूनाइटेड पंजाब में जो कुश्त खून हुआ और जो हालत थी वह किसी से छिपी नहीं है। मैं आज उसकी तरफ तवज्जह दिलाना नहीं चाहता हूं। मुझे मालूम है कि पार्टीशन के वक्त भी हमारे टंडन जी और महात्मा जी उसके हक में नहीं थे लेकिन वह वक्त ऐसा था कि आज मैं अपने दिल पर हाथ रख कर कह सकता हूं सन् ४६ में जैसे दिन देखे उससे हम सब पर यह असर था कि अगर इस तरह से पार्टीशन नहीं हुआ तो हिन्दुस्तान की गवर्नमेंट का चलना मुश्किल हो जायगा। इन दो बुजर्गों के अलावा मैं और किसी बड़े बुजर्ग को नहीं जानता जिन्होंने पार्टीशन का विरोध किया हो। आज मास्टर तारासिंह और दूसरे हिन्दू भाई भले ही गालियां दें और कहें कि कांग्रेस ने गलती की लेकिन मैं अर्ज करना चाहता हूं कि वह सब के सब सहमत थे, सब के सब राजी थे और उन सब की रजामंदी से वह पार्टीशन हुआ। मैं यह नहीं अर्ज करना चाहता कि जिस गवर्नमेंट ने पार्टीशन किया उसकी किसी तरह से कम्पेन्सेशन देने की लीगेली जिम्मेदारी है। जिस चीज के ऊपर और जिस

[पंडित ठाकुर दास भार्गव]

मजबूत फाउंडेशन पर क्लेम रखता हूं वह बिल्कुल इससे डिफरेंट है । बेशक हमने एक गलती की थी और जिसका मैं बहुत दफा एतराफ कर चुका हूं । हमने यह बेवकूफी की कि हम अंग्रेजों के कहने में आ गये और यह शर्त मान ली कि तीस नवम्बर सन् ४७ तक पाकिस्तान और हिन्दुस्तान की फौजें अीचनलेक के हाथ में रहेंगी और यही वजह थी जो दोनों जगहों पर इतना कुश्त खून हुआ । यह हमारी नातजुर्बेकारी थी कि हमने उस शर्त को मान लिया । अगर हम वह चीज न माने होते तो इतना खूनी पार्टीशन इस देश में नहीं होता । खैर, जो कुछ हुआ वह तो हो गया । मैं जिस चीज पर यह कम्पेन्सेशन का क्लेम बेस करता हूं वह बिल्कुल दूसरी चीज है । उस प्रेडीसेसर कैबिनेट ने, जिसके बड़े रुक्न हमारे प्राइम मिनिस्टर और सरदार पटेल थे उस वक्त एक ऐसे तदब्बुर और आला हौसलगी का सबूत दिया, ऐसा इंतजाम करने की काबिलियत का सबूत दिया जिसकी मिसाल नहीं मिल सकती । मैं उस स्कीम की तरफ आपकी तवज्जह दिलाना चाहता हूं जो हमारे कैबिनेट ने इवैकुएशन के वास्ते की । पचास लाख आदमियों को उधर से इधर लाया गया और उसके लिये देश की सारी रिसोर्सेज, सारी रेलें, मोटर कारें, एरोप्लेन, लारी, गाड्स और जो कुछ भी हमारे पास रिसोर्सेज थे सबके सब इस इवैकुएशन को कामयाब बनाने के लिये इस्तेमाल किये गये और इसी का नतीजा था कि इतने थोड़े अर्से में इतने लाखों आदमी जो करोड़ के करीब पहुंचते थे उधर से इधर ले जाये गये और उनको हिफाजत से लाया गया और यह एक करिश्मा था । शायद हिस्ट्री के अन्दर बहुत थोड़े ऐसे करिश्मे हुए होंगे । इसी सिलसिले में मैं आपकी खिदमत में इस प्राबलम का जो एक मोरल एंसपेक्ट है उसको रखना चाहता हूं । एक वक्त मैं मैं रिहैबिलिटेशन मिनिस्ट्री की तरफ से पंजाब के वास्ते एडवाइजर था । मैं फीरोजपुर के एक कैम्प में गया और वहां जा कर मेरी एक बूढ़ी औरत से बातचीत हुई । उस औरत ने जिस तरीके से कि इवैकुएशन को समझा और जिस तरह गवर्नमेंट की जिम्मेदारी को समझा, मैं वह आपकी खिदमत में रखना चाहता हूं । वह औरत कहने लगी कि हमें कांग्रेस गवर्नमेंट और पंडित नेहरू ने जीवनदान दिया है और अगर उन्होंने हमें न बचाया होता तो हम वहीं मर जाते, उसी देश के अन्दर दफन हो जाते, हमारी कब्र बन जाती या कोई हमको जला देता। अब हमको इस देश में ला कर और जीवनदान दे कर क्या किया चाहते हैं ? क्या पंडित नेहरू और कांग्रेस गवर्नमेंट क्या यह चाहती है कि वहां मरने के बजाय हम यहां मरें, इंच बाई इंच हम यहां मरें । आप जो हमारी जिन्दा लाश को वहां से निकाल लाये तो आप उस लाश को इंसान की तरह रखना चाहते हैं या आप हमको मार देना चाहते हैं । मेरा सीधा सवाल है उस कैबिनेट से और उसके मेम्बर्स से कि आप इवैकुएशन करके पचास लाख आदमी इस देश के अन्दर ले आये, वे सारा सामान । मैंने वह जमाना देखा है और खुश किस्मत अपने को समझता हूं कि मैंने हिन्दुस्तान को आजादी मिलने का जशन देखा और बदकिस्मत इस मानी में कि जुलाई और अगस्त में पंजाब में लाहौर के अन्दर और साथ ही दिल्ली के अन्दर जो कुछ मेरी नजरों से गुजरा, भगवान न करे किसी आदमी को वह सब देखना पड़े । मैं ने वह वक्त देखा है जब यहां पर हमारे रिफ्यूजीज भाई आये, जिन स्टेशनों से वह पास होते थे वहां के लोग उनको हर तरह की सहूलियत पहुंचाते थे और उनको हलवा पूरी खाने देते थे । यह समझ कर की मुसीबतजदा हमारे भाई पाकिस्तान से आये हैं, मेहमानों की तरह उनकी खातिर करते थे । आज मैं अदब से सिर्फ इतना पूछना चाहता हूं कि हम उन भाइयों के साथ इंसाफ करने को तैयार हैं कि नहीं, जिन को हम इस हालत में लाये और जो कि अगर न लाये जाते तो वहां मर जाते, जैसे शेखूपुरा में एक अहाते में १२ हजार आदमियों को भून दिया गया, वे भी अगर वहां से न लाये जाते तो कत्ल हो जाते और आपका सिर दर्द भी खत्म हो जाता, लेकिन अब चूंकि आप उनको यहां पर निकाल लाये हैं, तो

अब आप उनके बारे में क्या करने जा रहे हैं ? मैं इन सफेद पोशों का जिक्र नहीं करना चाहता जिन को आप सात, सात हजार रुपये कम्पेन्सेशन के देंगे । मैं तो उन एक लाख आदमियों का जिक्र करना चाहता हूं जिनके बारे में श्री निकुंज बिहारी ने कहा था कि उन्होंने कोई क्लेम ही नहीं दिया है । ऐसे आदमी जिन्होंने एक पैसे का भी क्लेम नहीं दाखिल किया है और जिनकी नागुफ्तावेह हालत है, उनके लिये आप क्या करने जा रहे हैं ? पलवल, फरीदाबाद, और गुड़गांव में कितने ही ऐसे गरीब शरणार्थी पड़े हैं जो नहीं जानते कि रिहैबिलिटेशन क्या होता है, जिनको दोनों वक्त पेट भर खाना नहीं मिलता, जिनको मजदूरी नहीं मिलती और जो बेकार बिना काम के हाथ पर हाथ धरे बैठे हैं और वे ऐसे लोग हैं जिन्होंने कोई मुआविजा पाने के लिये क्लेम भी नहीं दिया है और बहुतों ने जिन्होंने क्लेम दिये हैं उनके बाबत मैं आपको आगे बताऊंगा आपको मालूम है कि वहां पर कितने ही सरकार द्वारा मडहट्स बनायी गई हैं जिन पर गवर्नमेंट का करीब ६० हजार या ज्यादा रुपये खर्च आया लेकिन गवर्नमेंट जब उन लोगों से पार्ट आफ दी प्राइस एडवांस में केवल आठ रुपये मांगती है, तो कितने ही वहां पर लोग ऐसे हैं जो कि आठ रुपये भी एक मकान को हासिल करने के वास्ते नहीं दे सकते हैं । मैं ने श्री अजित प्रसाद जैन साहब की खिदमत में भी जा कर उन गरीब आदमियों का जिक्र किया कि उन की ऐसी हालत है कि वह आठ आठ रुपये भी नहीं दे सकते हैं और उन में से हजारों लाखों शरणार्थी इस वक्त ऐसे मौजूद हैं जिन को न रिहैबिलिटेशन बेनिफिट मिला और जिन की हालत नागुफ्तावेह है । मैं अर्ज करना चाहता हूं कि अगर आप उन को जिन्दा रखना चाहते हैं तो इस रिहैबिलिटेशन डिपार्टमेन्ट को तब तक खत्म न कीजिये जब तक आप इस तरफ अच्छी तरह से न देख लें और रिहैबिलिटेट न कर लें । मैं इतना ही अर्ज करूंगा कि आप इस को मुलाहिजा फरमायें कि आप क्या दे रहे हैं और क्या उन लोगों को जरूरत है ।

आप कहते हैं कि ८५ करोड़ रुपया हम ने रिहैबिलिटेशन के ऊपर खर्च किया । मैं आप को इस का क्रेडिट देने को तैयार हूं कि जहां तक भाखड़ा डैम का ताल्लुक है, जहां तक फाइव इअर प्लान का ताल्लुक है, उन के अन्दर आप शरणार्थियों को बहुत सी इनविजिबल हेल्प दे रहे हैं, मैं इस के लिये आप का बहुत मश्कूर हूं, लेकिन यह जो ८५ करोड़ की बात की जाती है, यह ठीक है कि उस से बहुत से शरणार्थियों को मदद मिली है, लेकिन जो यह ८५ करोड़ रुपया है इस की फेस वैल्यू कुछ है और उस की रिअल वैल्यू कुछ है ।

इसी तरह से आप फरमाते हैं कि आप मकानात देंगे जायदाद देंगे । लेकिन अगर आप उस जायदाद को नीलाम कर दें जो कि मुसलमानों की है, तो शायद वह किसी कदर १०० करोड़ से बढ़ जाय, लेकिन मैं आप की पालिसी जानता हूं और यह भी जानता हूं कि इस से ज्यादा कोई जुल्म नहीं होगा कि जो लोग मकानों में बैठे हैं उन को आप बेदखल कर दें और नये सिरे से उन को फिर रिफ्यूजी बना दें । बहर सूरत यह १०० करोड़ अगर हो भी जाय, तो भी, मुमकिन है कि जो बहुत से गरीब शरणार्थी हैं उन की कुछ सुनवाई हो और उन को आइन्दा कुछ दे दिया जाय । मुझे पता नहीं कि इस कम्पेन्सेशन पूल की कितनी कीमत हो जायेगी ।

Mr. Chairman: The hon. Member has taken more than twenty minutes. I think he should finish now.

पंडित ठाकुर दास भार्गव : मैं जनाब चेअरमैन साहब की खिदमत में अर्ज करना चाहता हूं की मैं ने जो नं० १४ का एमेन्डमेन्ट दिया हुआ है उस के बारे में आप से मुझे बहुत कुछ अर्ज करना है । वह काफी लम्बा चौड़ा और काफी अहमियत का है, लेकिन उस के ऊपर मैं दुबारा अर्ज नहीं करूंगा । जो वक्त मुझ को आप उस वक्त दें से वह इसी वक्त इनायत कर दें तो बेहतर है ।

तो मैं यह अर्ज कर रहा था कि यह जो १०० करोड़ रुपया है इस की तरफ गौर किया जाय ।

[पंडित ठाकुर दास भार्गव]

में नहीं चाहता कि एक भी मुसलमान को तकलीफ हो, जिस का मालिक मौजूद हो, उस की प्रापर्टी को इवैक्वी प्रापर्टी न करार दिया जाय, लेकिन में यह पूछना चाहता हूं कि आप यह किस हिसाब से कह रहे हैं कि १८५ करोड़ रुपया दिया गया है । इस का क्या कोई मेआर भी है ? यह १०० करोड़ रुपया कोई शरणार्थियों की जायदाद नहीं है, अगर यह एक्सचेन्ज प्रापर्टी की कीमत है तो गवर्नमेंट का यह कहना कि गवर्नमेन्ट ने १८५ करोड़ रुपया खर्च किया है यह जायज चीज नहीं है । या तो आप कम्पेन्सेशन न देते और कहते कि हम कम्पेन्सेशन देने की हालत में नहीं हैं, लेकिन अगर कम्पेन्सेशन देते हैं, तो कम्पेन्सेशन के माने हैं कि फुल *Quid Pro Quo* चीज । फुल कम्पेन्सेशन इस का मतलब है ट्रंकेटेड कम्पेन्सेशन नहीं । में जानता हूं कि गवर्नमेन्ट ने जो कुछ किया, मुहब्बत और जांफिशानी से किया । जो भी शरणार्थी पूरी हिन्दुस्तान की पिक्चर देखता है वह नहीं कहता कि उस को १०० पर सेन्ट कम्पेन्सेशन दे दिया जाय । सिलेक्ट कमेटी के अन्दर जो मौजूद स्कीम थी उस को छोड़ कर हमारे बुजुर्ग ने गुजारिश की कि, लेवी को एंडवांकेट किया जाये लेकिन जो कुछ मेरे एमेन्डमेन्ट में शामिल है आप कम से कम उसे कर सकते हैं । अगर आप कम्पेन्सेशन का नाम देते हैं तो कम्पेन्सेशन रखिये, लेकिन अगर आप किसी को ८ आ० से कम कम्पेन्सेशन देते हैं तो वह कम्पेन्सेशन नहीं है । मुझे खुशी है कि हमारे ५१ मेम्बरों ने जिस में कि हमारे श्री ए० पी० जैन भी और श्री जे० के० भोंसले भी शामिल हैं, सब ने मुतफिका रिपोर्ट पेश की और उस में गवर्नमेंट से प्रस्ताव किया कि वह इतना मुआवजा दे दें । में इस की तरफ फिर लौटूंगा।

में दो बातें जनाब की खिदमत में अर्ज कर दूं । वह यह कि जिस वक्त यह इवैक्वी प्रापर्टी का कानून बना था और कम्पेन्सेशन का सवाल उठा था उस वक्त हमें मालूम हुआ कि दोनों गवर्नमेन्टों, यानी पाकिस्तान और हिन्दुस्तान, के सैक्रेटरीज मिले और फैसला किया कि दोनों मुल्कों की जमीनों की कीमतों में जो फर्क हो वह पाकिस्तान हिन्दुस्तान को अदा कर दे । जब मि० जिन्ना के पास यह मामला गया तो वह कहने लगे कि आप तो सारे पाकिस्तान को मार्टगेज करना चाहते हैं, चुनांचे वह खत्म हो गया । पाकिस्तान ने उस वादे को आज तक पूरा नहीं किया । लेकिन में मुबारकबाद देना चाहता हूं हिन्दुस्तान की गवर्नमेन्ट को । यह हमारा ही कैरेक्टर था कि महात्मा गांधी के कहने पर कि गुड़गांव स्टेशन पर जो एक लाख मेव दूसरे मुल्क को जा रहे थे, उन को रोक लो, हमारी गवर्नमेन्ट ने उन को रोका और मेहरबानी कर के उन की जमीन और मकान वापस किये । जिन को अभी तक नहीं वापस किया गया उन के लिये में फिर कहता हूं कि वापस किया जाय । नेहरू लियाकत पैक्ट में यह था कि जो आदमी चले गये थे उन को वापस ला कर के उन की जायदाद को उन को वापस किया जाय। श्री जवाहरलाल नेहरू के हुक्म से हर एक उस आदमी को जो ईस्टर्न पाकिस्तान से वापस आया २०० रुपये दिये गये, लेकिन जो यहां के शरणार्थी थे उन को पाकिस्तान ने एक पैसा भी नहीं दिया । में नहीं कहता कि इस इवैक्वी प्रापर्टी ला की रू से किसी मुसलमान की प्रापर्टी ले कर शरणार्थी को दे दी जाय, लेकिन में पूछना चाहता हूं कि आप ने किस क्राइटीरियन से १८५ करोड़ रुपये की रकम मुकर्रर कर दी और कह दिया कि हम इतनी रकम आगे देना चाहते हैं । में इस के ऊपर अपना क्लेम नहीं रखता कि ६५ परसेन्ट आपने रूरल आदमियों को दे दिया, में तो कहूंगा कि आप ने रूरल आदमियों को जितना दिया सब ठीक है । वह शहरियों के मुकाबिले में कमजोर हैं । उन को जितना ज्यादा से ज्यादा आप दे सकते हैं जरूर दें । लेकिन में आप से पूछता हूं कि क्या आप की दलील है ? आप कहते हैं कि हम बड़े आदमियों को गरीब की जेब से ले कर नहीं दे सकते । कौन कहता है कि दीजिये । दीवान कृष्ण किशोर जिस को दस हजार रुपये महीने की किराये की आमदनी थी आज आप की खिदमत में यह कहने नहीं

गया कि मेरा पैसा दे दो, मेरी जायदाद दे दो। लाला राम दास की जो हैसियत थी उस को सब जानते हैं, वह तो मांगने नहीं गया। न मैं उस के लिये अर्ज कर रहा हूं और न वह अपने लिये अर्ज करते हैं। आप ने जो सीलिंग रखी है कि जिन की एक करोड़ रुपये की सम्पत्ति थी उन को आप पचास हजार रुपये की जायदाद दे रहे हैं, आप उस को बढ़ाइये या न बढ़ाइये मेरे से पूछें तो कम अज कम एक लाख तो कर दें। लेकिन जिस की तीन हजार से कम की प्रापर्टी थी उस को कैसे सबर आ सकता है अगर उस को भी आप बराबर की प्रापर्टी या मुआवजा न दें। जिस की दस हजार रुपये महीने की आमदनी थी, उस को आप अगर एक लाख की जायदाद भी दें तो न के बराबर है लेकिन सच तो यह है, वे बिचारे चुप चाप पड़े हैं और कभी आप का दरवाजा नहीं खटखटाते। मैं जानता हूं कि बहुत से लोगों ने तो अपने क्लेम तक नहीं दिये क्योंकि वह गलतफहमी में थे। मैं कहता हूं कि जिस को आप २,००० रुपये मुआवजा दे रहे हैं, उस को आप १६ आ० दीजिये, जिस को २,००० से १०,००० तक दे रहे हैं उस को १४ आ० दीजिये और जो उस के ऊपर के क्लेम हैं उन के ऊपर आप ८ आ० या ४ आ० दें। मैं जनाब की खिदमत में अर्ज करना चाहता हूं कि अब वक्त आ गया है जब कि हमारे शरणार्थी भाइयों का मामला आखिरी मरहले पर है। उन की तकलीफ को देख कर कोई शख्स ऐसा नहीं है जिस का दिल नहीं पसीजता। जो वहां से जिन्दा लाशें वे सरो सामान आई हैं, आप का फर्ज है कि आप उन को जिन्दा ही न रखें, बल्कि इस काबिल भी बनायें कि वह अपनी रोटी कमा सकें। अगर किसी खान्दान के अन्दर—जैसा हमारा हिन्दुस्तान एक खानदान है—एक लाचार आदमी है, जख्मी आदमी है, बीमार है, तो उस को आप को दवा देनी ही होगी, उस को दूध पिलाना ही होगा, उस के जख्मों पर मरहम रखना ही होगा। मैं जानता हूं कि गवर्नमेन्ट ने बहुत कुछ किया है, इन सालों में उस ने जो कुछ शरणार्थियों के लिये किया है वह मुझ से छिपा हुआ नहीं है। इस बारे में मैं हमेशा गवर्नमेन्ट की तारीफ करता रहा हूं कि उस ने जो कुछ किया, तकलीफ उठा कर भी शरणार्थियों की मदद की, वह बहुत काफी था। लेकिन ताहम मैं इस चीज को छिपा नहीं सकता कि अगर आप चाहते हैं कि इन शरणार्थी भाइयों को और दूसरों को साइकोलोजिकल सैटिस्फैक्शन हो, आप उस को अपनी तरफ से मदद कीजिये। हम कुछ और ज्यादा नहीं मांगते हैं, यही हमारी छोटी सी मांग है कि आप शरणार्थियों को साइकोलोजिकल सैटिस्फैक्शन दीजिये और कम अज कम ५० प्रतिशत उन के मुआवजे की वेरीफाईड रकम उन पर खर्च कीजिये या मुआवजा दीजिये।

Mr. Chairman: The hon. Member's time is up. He has taken really five minutes more than the allotted time. I think he has said enough on that point.

Pandit Thakur Das Bhargava: I thank you very much.

आखिर में मैं यह अर्ज कर रहा था कि मैं किसके खिलाफ शिकायत करूं। जितने भी अमेंडमेंट हैं वे आनरेबुल मिनिस्टर के खिलाफ नहीं हैं। यह जो अमेंडमेंट दिये गये हैं क्या वह जैन साहब के खिलाफ हैं या भोंसले साहब के खिलाफ हैं? यह दोनों तो उन ५१ आदमियों के साथ कासाये गदाई लिये सबसे आगे थे। मैं जानता हूं कि अगर इनकी चले तो हमको बहुत ज्यादा मदद मिले। सिलेक्ट कमेटी वालों की तो यह राय है ही कि और ज्यादा मिलना चाहिये, जो सिलेक्ट कमेटी में नहीं थे वह भी यही कहते हैं कि इसको बढ़ा दिया जाय। मैं जानता हूं कि यह इस हाउस की और सारे देश की मुत्तफिका राय है कि यह रकम बढ़ाई जाय। मैं अदब से अर्ज करना चाहता हूं कि इस मामले में हमारे आनरेबुल मिनिस्टर साहिबान की भी यही राय है और मैं आनरेबुल मिनिस्टरान के जरिये कैबिनेट से गुजारिश करना चाहता हूं कि वह इस मसले पर गौर करें। जहां तक पंडित नेहरू का ताल्लुक है उन्होंने तो शरणार्थियों की सब से ज्यादा मदद की है। एक बार उनके यह दिल में आयी कि शरणार्थियों को उस वक्त

[पंडित ठाकुर दास भार्गव]

तक न हटाया जाय जब तक कि उनको आल्टरनेटिव एकोमोडेशन न दे दी जाय. .....

Mr. Chairman: His time is up.

Pandit Thakur Das Bhargava: I think you have given me five minutes more.

Mr. Chairman: No. You have already taken five minutes more. You were allowed by the Speaker fifteen minutes; you have really taken twenty minutes.

Pandit Thakur Das Bhargava: Ten minutes were allotted. On the contrary, the Speaker said that there would be only one speaker and forty five minutes remained, out of which half an hour was to be given to the hon. Minister. So I should get at least fifteen minutes.

Mr. Chairman: It is forty-five minutes in all for this consideration motion and out of that, the Minister will take half an hour.

Pandit Thakur Das Bhargava: Therefore, he was pleased to say that only one Member would be allowed to speak and I was called upon to speak. That leaves only fifteen minutes. You were pleased to allow ten minutes.

Mr. Chairman: No, I have given you twenty minutes.

Pandit Thakur Das Bhargava: I will finish in two minutes.

मुझे अफसोस है कि आज ऐसे मौके पर जब कि मैं चाहता था कि कैबिनेट के सामने अपना दिल निकाल कर रख दूं तो मेरे पास वक्त नहीं है और इसलिये मैं इससे ज्यादा कुछ अर्ज नहीं करना चाहता कि यह इस वक्त सिर्फ किसी एक पार्टी की मांग नहीं है, यह सारे हाउस की मांग है कि कम्पेन्सेशन की रकम को बढ़ाया जाय। सिलेक्ट कमेटी की, जिसमें कि गवर्नमेंट के मिनिस्टर शामिल हैं, यही यूनानिमस रिपोर्ट है, जैसी कि कभी नहीं होती है। मैं जानता हूं कि इस मामले में हमारे बहुत कैबिनेट के मिनिस्टर साहिबान क्या चाहते हैं। इसलिये मैं दस्तबस्ता कैबिनेट के पास एक मारूजा भेजना चाहता हूं और वह यह कि वह इस मौके को हाथ से न गंवाये और वह इस वक्त इन शरणार्थियों को मौका दें कि वे साइकोलोजीकल सैटिस्फैक्शन हासिल करें कि उनकी अर्ज आखिरी मरहले पर आ कर कबूल हो गयी। और ५० प्रतिशत वेरीफाईड क्लेमज का उन को मिले या उन पर खर्च हो।

श्री ए० पी० जैन : सभापति जी, कल प्रोफेसर शर्मा ने अपने व्याख्यान के दौरान में दोबारा बसाने के मसले को एक ड्रामा या खेल कहा। एक हद तक उनका यह कहना ठीक है। दुनिया एक खेल है, दुनिया एक ड्रामा है। लेकिन दुनिया के ड्रामा में जो एक्टर होते हैं वे असली एक्टर होते हैं, बनावटी एक्टर नहीं होते हैं। और यह दोबारा बसाने का जो खेल खेला गया इसमें हमारे शरणार्थी भाइयों ने अच्छा खेल खेला और मैं हिम्मत के साथ यह भी कह सकता हूं कि गवर्नमेंट ने भी अच्छा खेल खेला।

प्रो० शर्मा ने साथ ही साथ यह भी कहा कि यह खेल एक ट्रेजेडी है। इस सम्बन्ध में मैं उनसे इत्तिफाक नहीं करता क्योंकि आम तौर से देखा जाता है कि ट्रेजेडी इस तरह से शुरू होती है कि एक दो आदमी अच्छी तरह से जिन्दगी बसर करते हैं। ज्यों ज्यों वह आगे को बढ़ते हैं उनके सामने कुछ कठिनाइयां पड़ती हैं और आखिर में उनको इन्तिहाई तकलीफ उठानी पड़ती है। यह खेल बिल्कुल उसका उल्टा है। पुरुषार्थी भाई यहां आये थे मुसीबत में। किसी के घर वाले वहां पर रह गये थे, सब लोग अपनी जायदादें वहां पर छोड़ कर आये थे। यहां उनके लिये न घर था न दूवार था, कैम्पों में वे रह रहे थे। आज सात बरस बाद हम देख रहे हैं कि हर एक आदमी के वास्ते एक छत है। हो सकता है कि उस किस्म की छत न हो जैसी कि उनके पास पाकिस्तान में थी। कुछ के पास उससे अच्छी छतें भी हैं, कुछ के पास उतनी अच्छी नहीं हैं, लेकिन आज छत हर एक के लिये है।

कुछ कारोबार कर रहे हैं, कुछ के लिए रुपये का भी प्रबन्ध हुआ है । कुछ को कारीगरी की ट्रेनिंग दी गयी और मैं समझता हूं कि आज हम उस मंजिल पर हैं जब कि इस ड्रामा का आखिरी एक्ट खेला जा रहा है और कुछ समय बाद हम इसको खुशी के साथ खत्म करेंगे । जो तकलीफ में आये थे उनकी तकलीफ दूर होगी और वे हिन्दुस्तान के उसी तरह से बाशिन्दे होंगे जैसे कि और लोग यहां पर बसे हैं । यह चन्द लफ्ज मैं ने कहे हैं तमहीद के तौर पर । लेकिन पेश्तर इसके कि जो कल बहस हुई उसके खास मजमून पर आऊं मैं आपकी तवज्जह चन्द उन शब्दों की तरफ दिलाना चाहता हूं जो कल श्रद्धेय बाबू पुरुषोत्तम दास टंडन ने इस्तेमाल किये । मेरे पास उनकी स्पीच की रिपोर्ट है । मैं उसमें से पढ़ कर आपको सुनाता हूं ।

Shri D. C. Sharma (Hoshiarpur): May I submit that I have a copy of my speech here and what I said was this.....

Shri A. P. Jain: I am not yielding the floor.

Mr. Chairman: The hon. Minister is not giving way.

श्री ए० पी० जैन : "सरकार की ओर से इतना छोटा और ओछा बनियापन मुझे अच्छा नहीं लगता । हमारे मंत्री जी हैं तो बनियां, हिसाब किताब में चतुर हैं, परन्तु हिसाब किताब की चतुराई सदा इसी में नहीं होती कि काट कपट किया जाय । हिसाब कम बनाना ही हिसाब किताब की चतुराई नहीं है । "

श्री टंडन (जिला इलाहाबाद—पश्चिम) : हिसाब कम बनाना ?

श्री ए० पी० जैन : यह आपने खुद कहा था ।

श्री टंडन : कम बनाने के मानी कोई फोर्जरी करने से नहीं हैं किन्तु मुनासिब से कम देना है ।

श्री ए० पी० जैन : मैं श्रद्धेय टंडन जी का आदर करता हूं । मैं इन शब्दों का कुछ उत्तर नहीं देना चाहता । लेकिन मैं इतना जरूर अर्ज करना चाहता हूं कि इन शब्दों को इस्तेमाल करके उन्होंने अपना और इस हाउस का बड़प्पन कुछ ऊंचा नहीं किया ।

श्री टंडन : मैं मंत्री जी से इतना निवेदन कर दूं कि इन हास्य रस के वाक्यों को वे अन्यथा न समझें । वे स्वयं भी हास्य रस को पहचानने वाले हैं । वह इतना समझ सकते हैं कि इन हास्य रस के वाक्यों द्वारा कोई वैयक्तिक आक्षेप तो असम्भव था । मेरे मुंह से अपने मित्र के बारे में आक्षेप का तो प्रश्न ही नहीं उठ सकता था । यह तो गवर्नमेंट की नीति की बात थी जो मेरे मन में थी । और जो मंत्री जी की इसमें चर्चा आ गयी वह तो केवल हास्य रस में था । चूंकि वे वैश्य वृत्ति के हैं इसलिये एक बात मेरे मन में आ गयी और मैंने कह दी ।

श्री ए० पी० जैन : अगर 'छोटा और ओछा बनियापन' और "काट कपट करना" हास्य रस के शब्द हैं तो ठीक है ।

श्री टंडन : ये शब्द तो हास्यरस के नहीं हैं । ये सरकार की नीति के बारे में कहे गये थे । परन्तु मंत्री जी की वैयक्तिक बात हास्य रस में कही गयी थी ।

श्री ए० पी० जैन : मैं इस सम्बन्ध में कुछ जवाब नहीं देना चाहता, न बदला लेना चाहता हूं और न कुछ आगे अर्ज करना चाहता हूं । मैं इस बात को यहीं समाप्त करता हूं ।

कल आनरेबल श्री एन० बी० चौधरी ने इस विधेयक के सम्बन्ध में यह शिकायत की कि इसमें कोई बड़ा और जनरल खाका दिया हुआ है । इसमें वह तफ़सील नहीं है जिससे मालूम हो कि क्या होने वाला है और क्या नहीं होने वाला है । उनकी जो यह नुक्ताचीनी

[श्री ए० पी० जैन]

है उसको मैं तसलीम करता हूं । लेकिन यह जितनी जटिल समस्या है, जितनी इसके अन्दर कठिनाइयां हैं, जितनी इसके अन्दर पेचीदगियां हैं उनको सामने रखते हुए यह लाजिमी था कि बिल इस क़िस्म का हो कि जिसमें मोटे मोटे उसूल रखे जायं और उसकी जो बारीक बातें हैं या जो उसकी पूरी शक्ल देनी है वह रूल्स के जरिये से दी जाय । हमें तो इस वक्त यह भी एक सुभीता हासिल है कि एक अन्तरिम कम्पेन्सेशन स्कीम हमने जारी की थी जिसमें कि इस स्कीम की रूपरेखा दी हुई है । और जो आयन्दा होने वाला है वह कमो बेश उन्हीं उसूलों के ऊपर होगी कि जो उस इंटैरिम स्कीम के अन्दर दिये हुये हैं । सभा को यह भी पता है कि इस बिल के अन्दर एक दफ़ा है जिसके मातहत क़ायदे बनाये जायेंगे, वह क़ायदे हाउस के सामने रखे जायेंगे और हाउस को इस बात का अधिकार होगा कि उनके अन्दर परिवर्तन कर सके । मैं समझता हूं कि इस मसले की नज़ाकत और पेचीदगी को ध्यान में रखते हुए कोई दूसरा तरीक़ा नहीं हो सकता था । जिस वक्त कि सिलेक्ट कमेटी के अन्दर यह मसला आया तो हमने खुद इसके अन्दर जो क्लाजेज थे, दफ़ात थीं, उन के अन्दर अपने आपको महदूद नहीं रखा बल्कि जनरल उसूलों के ऊपर भी बहस की गयी और बहुत सी बातें कही गयीं । एक शिकायत हमारे मित्र प्रोफेसर शर्मा ने की कि देरी हुई । रिहैबिलिटेशन का जितना काम हुआ उसमें जगह जगह पर देरी लिखी है । मैं इस सम्बन्ध में इतना ही अर्ज करना चाहता हूं कि कल जब आप के सामने बहस हुई तो यह कहा गया कि लोगों को इस बात का हक़ फिर दुबारा दिया जाय कि वह अपने क्लेम्स दाखिल कर सकें । क्लेम्स जुलाई १९५० में मंगाये गये थे, आज उसको चार वर्ष से ज्यादा हो गये । [illegible] चाहते हैं कि क्लेम्स दाखिल करने के लिये लोगों को चार वर्ष से ज्यादा दिये जायें तो इस बात की शिकायत करना कि क्लेम्स के अदा करने में, उनकी जांच पड़ताल करने में, हर एक को पैसा देने में तीन साल का वक्त ज्यादा है, यह मेरी समझ में नहीं आता है । मैं चाहता हूं कि इस चीज को इंसाफ़ की निगाह से देखा जाय कि क्यों देरी होती है, क्या कारण है, मिनिस्ट्री की खता कितनी है, मेरे अफ़सरान की खता है या और भी वजह है जिसकी वजह से देरी होती है । मेरा यह बराबर तजुर्बा रहा है कि पुरुषार्थी भाइयों के जो नेता हैं, जो उनका नेतृत्व करते हैं वह किसी चीज को वक्त पर होने नहीं देना चाहते हैं । हर एक चीज को बढ़ाना, किसी चीज की मियाद न मुक़र्रर करना, अपनी किसी तरह की जिम्मेदारी न समझना और जो कुछ जिम्मेदारी है वह सरकार की है मैं समझता हूं कि यह तरीका गलत है इन चीजों को देखने का । कुछ असूली चीजें हैं जो कही गयीं । मैं इस विधान के अन्दर जो दफ़ात हैं उनके बारे में चर्चा नहीं करूंगा । मेरे सहकारी डिप्टी मिनिस्टर ने अपनी प्रारम्भिक स्पीच में उनकी काफ़ी चर्चा कर दी है, लेकिन कुछ असूली चीजें हैं जिन के बारे में मैं कुछ सफ़ाई करना चाहता हूं । मैं समझता हूं कि उसके बाद बहुत सारे अमेंडमेंट, बहुत सारी दिक्कतें शायद दूर हो जायेंगी । पहला सवाल यह है कि कोई नये क्लेम लिये जायें या न लिये जायें । इस सभा को इसका पूरा इतिहास मालूम है । पिछली बार जब वेरीफ़िकेशन आफ़ क्लेम्स (सप्लीमेन्टरी) एक्ट पर बहस हो रही थी तो यह मसला पेश किया गया था कि क्लेम्स को दुबारा नये सिरे से मंगाया जाय । उस वक्त इस सभा ने उस को मंजूर नहीं किया था और आज भी मेरी यही राय है कि हम आम तौर से इस बात की इजाजत नहीं दे सकते कि क्लेम्स को दुबारा दाखिल करने का लोगों को हक़ दिया जाये । लेकिन कुछ खुसूसात

पेश हुए सेलेक्ट कमेटी के सामने और सिलेक्ट कमेटी ने अपनी रिपोर्ट में इस बात की सिफ़ारिश की है कि इस क़िस्म के जैनविन यानी असलियत रखने वाले क्लेम्स को जो वक्त पर न दाखिल किये जा सके हों उनकी तरफ़ गौर किया जाये और दूसरे उन लोगों के क्लेम्स के बारे में कि जो क्लेम दाखिल करने की आखिरी तारीख के बाद आये हैं उन पर ध्यान दिया जाये। मैं इस बात को मंजूर करता हूं कि जो आखिरी तारीख के जिस वक्त तक कि लोगों को क्लेम दाखिल करने का हक़ था, उस तारीख के बाद यहां आये हैं उनके क्लेम्स को उसी तरह से जांच पड़ताल करके क़ायम किया जाये कि जैसे हमने दूसरे क्लेम्स के बारे में किया है। वह लोग कि जिन्होंने किसी गलती की वजह से क्लेम्स नहीं दाखिल किये उनको भी मैं मंजूर करने के लिये तैयार हूं लेकिन यह बात साफ़ करना चाहता हूं कि यह जो कहा जाता है कि बड़ी तादाद में क्लेम्स दाखिल नहीं किये गये, यह मैं मानने को तैयार नहीं हूं। पश्चिमी पाकिस्तान से पिछली जनगणना के अनुसार कुल ४७ लाख आदमी आये हैं जिनके दस लाख से कम कुनबे बैठते हैं। क़रीब क़रीब साढ़े पांच लाख या पौने छै लाख आदमियों ने देहाती जमीनों के क्लेम्स दाखिल किये हैं, शहरी देहातियों में तीन लाख अस्सी हज़ार के क्लेम्स दाखिल किये, अगर इन दोनों को जोड़ा जाय तो क्लेम्स की संख्या नौ लाख से ऊपर बैठती है, मुमकिन हो सकता है कि कुछ ऐसे आदमी हों जिनके जमीन के भी क्लेम्स हों और शहरी जायदाद के भी। इससे मालूम होता है कि हर दस आदमियों में से आठ और नौ आदमियों ने अपने क्लेम्स दाखिल किये हैं। मैं भी हिन्दुस्तान का बाशिन्दा हूं, मैंने कुछ वक़ालत भी की है और भूखा नंगा भी नहीं हूं, मैं आपके सामने यह ऐलान करना चाहता हूं कि न मेरे पास कोई मकान है और न ही मेरे पास कोई अपनी जमीन है और मैं समझता हूं इस सभा में बहुत सारे ऐसे मेम्बर होंगे जिनके पास न अपना कोई मकान होगा और न जमीन होगी। हिन्दुस्तान में हर एक आदमी के पास अपनी जमीन और अपना मकान नहीं है। मुझे हैरत इस बात पर होती है कि दस में आठ और नौ लोगों ने अपनी जमीनों के या मकानों के क्लेम दाखिल किये हैं। मेरा ख्याल है कि अगर बाक़ी हिन्दुस्तान का औसत निकाला जायगा तो इतना ऊंचा औसत कभी नहीं बैठेगा, इतने फ़ीसदी लोगों के पास जमीन और मकान नहीं निकलेंगे। उसको जाने दीजिये लेकिन मैं यह मानने के लिये तैयार नहीं हूं कि बहुत से लोगों ने अपनी जायदादों के क्लेम्स दाखिल नहीं किये हैं। हां, यह हो सकता है कि कोई आदमी ऐसे रह गये हों जिन्होंने किसी गलती या किसी और वजह से अब तक अपना क्लेम दाखिल न किया हो जिन को क्लेम दाखिल करने का हक था और जो दाखिल नहीं कर सके दो शर्तों के मातहत हम उनके क्लेम्स लेने को तैयार हैं अव्वल तो यह कि माकूल वजह दें इस बात की कि उन्होंने अब तक क्लेम क्यों नहीं दाखिल किया। दूसरे यह कि उनके पास लिखा हुआ कोई टाइटिल डीड, मिल्कियत का कागज होना चाहिये जिससे यह मालूम हो सके कि असल में वह पीछे कोई जायदाद छोड़ कर आये हैं। जो इन शर्तों को पूरा करेंगे हम उनके केसेज लेने को तैयार होंगे। ऐसे क्लेम क़ानून की डेफीनेशन के अन्दर तो नहीं आयेंगे, लेकिन सरकार को बिला क्लेम वालों को ग्रान्ट देने का हक़ है, मैं उन्हें उसी क्लेम स्केल पर ग्रांट दूंगा जैसे कि और दूसरे क्लेमेंट्स को कम्पैनसेशन या रिहैबिलिटेशन ग्रांट दी जायगी मैं समझता हूं कि इसके बाद कोई गुंजायश शिकायत की नहीं रहती है। हमारी सेलेक्ट कमेटी ने इस बात को महसूस किया है कि अगर ऐसा

[श्री ए० पी० जैन]

कर दिया जाय तो फिर कोई दिक्कत नहीं होगी ।

एक सवाल मकानों के बेचने के बाबत उठाया गया । उनको मुनासिब क़ीमत पर अलाट करने का, मैं जानता हूं कि यह बहुत अहम मसला है । सभा में कोई ऐसा सदस्य नहीं होगा जो मुझ से ज्यादा इस मसले की अहमियत को महसूस करता होगा । मंत्री की हैसियत से मैंने इस बात की ज़िम्मेदारी ली है कि लोगों को बसाऊं, कोई आदमी अगर मकान के अन्दर बैठा हुआ है और मैं उसको वहां से उखाड़ कर फेंक देता हूं किसी दूसरी जगह पर तो खाली में उसे मकान से महरूम ही नहीं करता बल्कि मैं उसको रोज़गार से भी महरूम करता हूं, आसपास दुकान आदि से जो कुछ कर लेता है, इसलिये मेरी ज़िम्मेदारी बढ़ जाती है कि मैं खाली उसको छत ही न दूं बल्कि मैं उसको रोज़गार की सुविधा भी दूं । मैं इतना बेवकूफ नहीं हूं कि अपनी ज़िम्मेदारी को बढ़ाऊं । चुनांचे मैं इस बात की अहमियत को पूरे तौर से महसूस करता हूं कि जो आदमी जहां पर बैठा है मैं पूरी इस बात की कोशिश करूं कि उसको वहीं पर बना रहने दूं और उसको वहां से नहीं हटाऊं ।

चुनांचे मोटे तौर से मैंने जिस स्कीम को सोचा है वह यह है कि जहां तक गवर्नमेंट के बनाये हुये मकानों का ताल्लुक़ है, मैं उन मकानों को एक मुनासिब क़ीमत पर, क्या मुनासिब क़ीमत है उसका मैं आगे चल कर चर्चा करूंगा उन लोगों को दूं जो उन मकानों के अन्दर बैठे हुये हैं । जिनके क्लेम्स हैं उनके क्लेम्स में उनको एडजस्ट कर दें और जिनके क्लेम्स नहीं हैं उनको भी मालिक बना दें और वाजिब किस्तों में उन मकानों की क़ीमत हम उनसे लकरवसूल लें । एक बात है, अगर कोई किसी हालत में भी मकान लेने को तैयार नहीं है तो मुझको बहुत तकलीफ के साथ उसका कोई दूसरा प्रबन्ध करना होगा । लेकिन मैं उन मकानों पर जिन में कि पुरुषार्थी बैठे हुये हैं किसी दूसरे आदमी की मिल्कियत नहीं क़ायम कर सकता हूं, जिस वक्त तक कि जो लोग उन में बैठे हुये हैं वह लेना चाहते हैं ।

इस के साथ एक और सवाल उठाया गया और मुझे कल इस बात को देख कर दुःख हुआ कि एक आनरेबुल मेम्बर ने एक बिल्कुल गलत और बिल्कुल बेबुनियाद बयान दिया कि तीन बार लाठी चार्ज किया गया नीलाम के दौरान में । कल ही मैंने सवेरे एक बयान दिया था कि कोई लाठी चार्ज नहीं किया गया है और यह बिल्कुल गलत बात है । इसी के ऊपर जो ऐडजर्नमेन्ट मोशन दिया गया वह रद्द किया गया था । लेकिन इस भवन में हर एक को आज़ादी है कि वह जो चाहे कहे, ठीक कहे या गलत कहे । उन्होंने फिर इस बात को कह दिया । बहरहाल यह उनके लिये शायाने शान नहीं था कि यहां पर कोई गलतबयानी करें ।

दिल्ली के अन्दर २५० मकान ऐसे हैं जो हमने बेचने के लिये बनाये हैं, अलाटमेन्ट के लिये नहीं । इस वक्त वह हमारे पास मौजूद हैं । कुछ और दूसरे मकान हैं जिन को हम शायद इसी तरह से मुन्तक़िल करें, उन मकानों के अन्दर कोई बैठे हुए नहीं हैं और वह बहुत दिनों से खाली पड़े हुए हैं । मैंने इस बात को तय किया कि अब उनको मुन्तक़िल किया जाय और मैंने बेहतरीन तरीक़ा यह समझा कि रिफ्यूजी भाइयों को इस बात का मौक़ा दिया जाय कि वह नीलाम के अन्दर उन मकानों

को खरीद लें। इन नीलामों के अन्दर कोई भी आदमी जो रिफ्यूजी नहीं है बिड देने का हक़दार नहीं है। मेरी समझ में नहीं आता कि इस पर क्यों शोर गुल है, इस पर क्यों शिकायत है। किसी भी आदमी को इन मकानों के अन्दर हक़ हासिल नहीं है। मैं पूछना चाहता हूं कि अगर हम उसको बाज़ारू क़ीमत पर बेच दें और कुछ मुनाफ़ा हो, तो वह कहां जाता है? क्या वह पैसा सरकार की जेब में जाता है? नहीं। वह मकानात कम्पेन्सेशन पूल का हिस्सा है। इसलिये जो पैसा आता है वह इस कम्पेन्सेशन पूल के अन्दर ही रहता है। वह पुनर्वासी भाइयों के अन्दर ही बटेगा। तब यह शोर गुल क्यों? मैं कहना चाहता हूं कि यह शोर गुल वेस्टेड इन्टरेस्ट की तरफ़ से है। वेरीफ़ाइड क्लेम्स की संख्या ३ लाख ८० हज़ार है। उसमें से १२ हज़ार क्लेम यह तेरह हज़ार भी हो सकते हैं, और ग्यारह हजार भी हो सकते हैं ऐसे हैं कि जिनकी क़ीमत ५०,००० से ज्यादा है। कल मेरे दोस्त श्री नन्दलाल शर्मा जिस समय बोल रहे थे उस वक्त, जैसी कहावत है कि बिल्ली थैले में से कूद कर निकल भागी, तो उन्होंने कहा कि मिनिस्ट्री ने यह क़ायदा बनाया है कि नक़द रुपया तो हम देंगे सिर्फ ८,००० और अगर कोई जायदाद की शक्ल में ले तो हम ५०,००० रु०, तक देंगे उन्होंने कहा मैं उन्हीं के लफ्ज़ दुहरा रहा हूं, "भागते भूत की लंगोटी भली।" जो मिले ले लो इसलिये ये ऊंचा बिड दे रहे हैं। जनाब वाला, इसका इतिहास यह है कि हमने पहले सब के लिये ज्यादा से ज्यादा ८,००० रुपये देना तय किया था। बड़े क्लेम वालों की तरफ़ से शोर हुआ। उन्होंने कहा कि जिन के बड़े क्लेम्स हैं उन को ८,००० रुपया में क्या होता है? हमारे रिहैबिलिटेशन आफिसर्स श्रीनगर में मिले। याद रखिये कि उस के अन्दर सेन्ट्रल गवर्नमेंट के आफिसर्स सिर्फ दो तीन ही थे, ज्यादातर राज्यों के रिहैबिलिटेशन आफ़िसर्स थे, और उनका कम्पेन्सेशन स्कीम से कोई ताल्लुक नहीं है। उन्होंने कहा कि अगर कोई जायदाद की शक्ल में लेना चाहे तो उसकी लिमिट ५०,००० रुपये होनी चाहिये। मैंने इस को मंजूर किया। मैं नहीं कहता कि आप लाजमी मेरी बात माने। मगर इसको एक दूसरे नुक्ते निगाह से देखिये। ३ लाख ६८ हज़ार आदमी ऐसे हैं जिनके क्लेम्स ५०,००० रुपये से कम के हैं। उन के लिये हमने नक़द और जायदाद की रक़म बराबर रक्खी है सिर्फ़ बारह हज़ार ऐसे हैं कि जो नक़द चाहते हैं तो उनको ८,००० रुपये मिलेगा और जायदाद की शक्ल में लेना चाहें तो उन को ५०,००० रु० तक मिल सकता है। अगर यह १२ हजार आदमी हमारे मकानों को १३ या १४ हज़ार लेते हैं तो क्या उसको रोक दिया जाय? इन लोगों के काफी बड़े क्लेम हैं। अभी तो पंडित ठाकुर दास भार्गव कह रहे थे कि वह बड़े आदमियों के लिये नहीं कहते हैं, बल्कि छोटे आदमियों के लिये कहते हैं, तो अगर कोई ६,००० रुपये का मकान १३,००० रुपये में लेता है तो वह ७,००० रुपये जो ज्यादा आयेगा, वह कहां जायेगा? मंत्री की जेब में जायेगा? देशमुख की जेब में जायेगा या उन छोटे क्लेमेन्ट्स की जेब में जायेगा जो गिनती में ३ लाख ६८ हजार हैं। मेरी समझ में नहीं आता कि क्यों इस पर शोर गुल होता है। इतनी बातें कही जाती हैं, बनिया जहनियत कही जाती है, कहा जाता है कि काट छांट की जाती है। सीधी बात है कि जो लोग ज्यादा रुपया पाने वाले हैं वही जायदाद को खरीद रहे हैं और दूसरे आदमी उससे नफ़ा उठाने वाले हैं। मैं ऐलान करना चाहता हूं कि मैं इस मामले में काई समझौता नहीं करना चाहता हूं। हम इस तरह के मौक़े से ज़रूर फ़ायदा उठायेंगे ताकि उन लोगों की मदद करने के लिये जिन को आज रिहैबिलिटेशन की जरूरत है कुछ रुपया

[श्री ए० पी० जैन]

वसूल करें ।

जो निकामी ४०० मकान छोटे छोटे कस्बों में हैं, उनके बारे में हम ने तय किया है कि वह ऐलाटमेन्ट से दिये जायें । उन में कोई नीलाम का सवाल नहीं है । बाकी बड़े बड़े शहरों के मकान हैं उन में जो कम क़ीमत के हैं उन को भी ऐलाटमेन्ट से दिया जायेगा, लेकिन जो बड़े बड़े मकान हैं, बड़ी क़ीमत के मकान हैं, जिन के अन्दर काफ़ी अच्छे आदमी बसते हैं, जो कि अपनी हिफ़ाजत कर सकते हैं, उनके बारे में हम को हक़ होगा कि वह दिये जायें, चाहे नीलाम से चाहे टेंडर से । उनको हक बाजारू कीमत पर बेचेंगे ।

जहां तक दुकानों का ताल्लुक है, इसके पीछे एक बड़ी राय है पुरुषार्थी भाइयों की और उनके रिप्रेजेन्टेटिव्ज़ की, कि दूकानों को और इन्डस्ट्रियल कन्सर्न को दूसरे तरीक़े पर रखा जाय क्योंकि दूकान कारोबार को चलाने वाली चीज है जिसमें कि एक व्यापार दृष्टिकोण होता है । दुकानों के लिये एक अलाहदा असूल होगा, और मेरी अपनी राय है कि उनको भी मुक़ाबले की क़ीमतों पर दिया जाय ।

अब रहा सवाल यह कि क़ीमतें कैसे मुक़र्रर की जायें ?

पंडित ठाकुर दास भार्गव : जहां दूकानों का ताल्लुक है, जो लोग दूकानों के अन्दर अपने कारोबार कई तरह से करते हैं, उनको आप बेदखल तो नहीं करेंगे ?

श्री ए० पी० जैन : बेदखल तो नहीं करेंगे क्योंकि आप ने रखा है कि उनको प्रोटेक्शन दिया जाय ।

श्रीमती सुचेता कृपालानी (नई दिल्ली): मगर दो बरस बाद तो वह बेदखल हो सकते हैं ?

श्री ए० पी० जैन : आप जरा ठहर जाइये, मेरे पास वक्त थोड़ा है और बातें काफ़ी हैं ।

अब सवाल यह है कि कीमतें कैसे रक्खी जायें । जहां तक उन जायदादों का ताल्लुक है, जो टेंडर से दिये जाते हैं या नीलाम से दिये जाते हैं, उनके लिये कीमत का सवाल ही पैदा नहीं होता । यह सवाल उन जायदादों के लिये पैदा होता है जिन को ऐलाटमेन्ट से दिया जाता है । मुझ से कहा गया कि जितना पैसा खर्च हुआ, उतने ही पर दो । 'नो प्राफिट नो लास' बेसिस पर दो । मैं अर्ज करना चाहता हूं कि हम लोगों ने इस को समझने की काफ़ी कोशिश की । 'नो प्राफिट नो लास'' बेसिस के माने क्या हैं ? क्या हर एक मकान की कीमत अलाहदा लगाई जाय और तब 'नो प्राफिट नो लास' बेसिस पर दिया जाय ? या एक ग्रुप आफ हाउसेज यानी मकानों के एक झुंड जो कि एक ही वक्त में बने और एक इलाके में हों, उनकी कीमत लगाई जाय या ? कि एक टाउनशिप या कालोनी के मकानों की कीमत नो प्राफिट नो लास बेसिस पर लगाई जाय ? या एक शहर या एक राज्य के मकानों की कीमत लगाई जाय ? या तमाम देश के मकानों की कीमत एक 'नो प्राफिट नो लास' पर लगाई जाय ? जो लोग नो प्राफिट नो लास की बात करते हैं उनको यह देखना होगा कि इस के माने क्या हैं । अभी तो यह होता है कि एक मकान अगर नीलाम हुआ तो वह एक कीमत पर नीलाम होता है, दूसरा मकान इसी तरह का दूसरी कीमत पर नीलाम होता है । अगर मुख्तलिफ वक्त में एक ही क़िस्म के मकान बनाये जावें तो कभी टेन्डर १० परसेन्ट कम आयेगी और कभी १० पर सेन्ट ज्यादा आयेगी । अब अगर एक ग्रुप के मकानों की कीमत भी लगाई जाय तो कभी तो वह कम आयेगी और कभी ज्यादा आयेगी । यह देखा जाता है कि अगर अलग

अलग लोकैलिटीज में मकान बनाये जावें तो किसी में तो जायदाद की कीमत बढ़ जाती है और किसी में नहीं बढ़ती । इस तरह से उनमें फरक पैदा हो जाता है ।

1 P.M.

आप दिल्ली के सवाल को ही लीजिये । दिल्ली में कालका जी है, दिल्ली में ही राजेन्द्र नगर है और दिल्ली में ही मालवीय नगर है । कालका जी और मालवीय नगर में जायदादों की कीमतें नहीं बढ़ी हैं, उतनी ही हैं । कुछ बढ़ी भी हैं लेकिन ज्यादा नहीं बढ़ीं । इसलिये नहीं बढ़ी हैं कि यह कालोनीज शहर से दूर हैं । राजेन्द्र नगर और पटेल नगर, वहां पर जमीनों की कीमतें दुगुनी, तिगुनी और चौगुनी हो गयी हैं । यह कौनसा इंसाफ है कि मैं आज रिफ्यूजीज से वही कीमत लूं राजेन्द्र नगर में और वही कीमत लूं कालका जी के अन्दर ? अभी मेरे मित्र ठाकुर दास जी ने कहा था कि पलवल के अन्दर बहुत गरीब आदमी हैं जिनकी दुकानें नहीं चलतीं । पलवल है, खन्ना है, रिवाड़ी है, रेन्धेर है, सूरत है, और भी जगहें हैं जहां पर जितना खर्च हुआ है उतने की आज जायदाद नहीं है । तो क्या यह इंसाफ का तकाजा है कि जो लोग, अच्छी जगह में बैठे हुए हैं और जिनके पांच हजार के मकान की आज कीमत दस हजार, बारह हजार और १५ हजार हो गयी है उनसे भी पांच हजार लिया जाय, और जिनके पांच हजार के मकान की आज कीमत ढाई हजार या दो हजार रह गयी है उनसे भी पांच हजार लिया जाय । मैं समझता हूं कि यह गैर इन्साफ है और अन्याय है । मैं चाहता हूं कि मुनासिब तरीके से कीमत लगाई जाय ताकि रिफ्यूजी और रिफ्यूजी के बीच में इंसाफ हो । इसलिए मेरी यह राय है कि पलवल के मकानों की कीमत को घटाया जाय और राजेन्द्र नगर के मकानों की कीमतों को बढ़ाया जाय ।

मैं देखता हूं कि हमारे रिफ्यूजी भाइयों के अन्दर एक बात पैदा हो गयी है । वह यह समझते हैं कि जितनी जबान में ताकत है, जितनी पैर में ताकत है, जितनी कलम में ताकत है, जितना वह अखबारों में लिख सकते हैं और जितना वह डिमांस्ट्रेशन कर सकते हैं उसी से चीजें हल हो जायेंगी । लेकिन मैं यह साफ कर देना चाहता हूं कि जबान की ताकत, से, पैर की ताकत से, कलम की ताकत से चीजें हल नहीं होंगी बल्कि इंसाफ के साथ चीजें हल होंगी ।

Sir, I am absolutely in the hands of the House. I am not at all keen to speak, but if the House wants .....

Mr. Chairman: Perhaps the Second Reading will be finished quickly and then he may speak on the Third Reading.

Pandit Thakur Das Bhargava: It will be better if the hon. Minister is allowed to speak now, because then perhaps many motions might not be moved.

Mr. Chairman: If that is the sense of the House, I have no objection. But how much time shall I allow?

Pandit Thakur Das Bhargava: The point is some of these amendments may be withdrawn.

Shri A. P. Jain: I will take about ten minutes.

Mr. Chairman: Very well. He may go on.

श्री ए० पी० जैन : मैं आपसे अर्ज कर रहा था कि मैं यह नहीं चाहता कि हर कालोनी में बाजारी कीमत वसूल की जाय । लेकिन मैं यह जरूर चाहता हूं कि मुख्तलिफ कालोनीज के अन्दर हमारे जो मुख्तलिफ मकानात हैं उनमें कुछ निस्बत कायम की जाय । जहां पर कीमत नहीं बढ़ी है वहां पर वही रखी जाय, जहां पर कम हुई है वहां कम की जाय, जहां पर बढ़ी है वहां बढ़त का अगर १६ आना न लिया जाय तो कम से कम आठ आना तो

[श्री ए० पी० जैन]

लिया जाय। इस सिलसिले में मेरे ऊपर दबाव डाला जाता है, इसी सिलसिले में डिमांस्ट्रेशन किये जाते हैं मैं इसके खिलाफ़ हूं।

मैं यह भी अर्ज करना चाहता हूं कि मैं कोई इम्तियाजी अख्तियारात अपने हाथ में नहीं रखना चाहता। मुझे एक मिनट के लिए भी यह तमन्ना नहीं है कि मैं अपने कलम से हुकम लिखूं। इस कानून में यह असूल रखा है कि हर एक आदमी को अपनी बात कहने का बराबर हक मिले। जब एक मर्तबा फैसला हो जाय तो एक अपील होनी चाहिए। और जो हुकम हो सब को मानना होगा मकान की क़ीमत पहले इंजिनियर मुकर्रर करते हैं और रिप्यूजीज को इस बात का मौका दिया जायगा कि वह अपनी बात को उनके सामने रख लें। उसके बाद जब कीमत मुकर्रर होगी तो एक अपील का मौका दिया जायगा। उस अपील का जो फैसला होगा वह सब पर काबिले पाबन्दी होगा। उसमें मिनिस्टर का कोई दखल नहीं होगा। मैं चाहता हूं कि इस तमाम मामले को क्वासी जूडिशियल बना दिया जाय ताकि सब के साथ बराबर इंसाफ हो न कि यह कि जिसकी जबान में ताकत है, जिसके पैर में ताकत है या जिसकी कलम में ताकत है वह सब चीज ले जाय। कुछ लोग जिन के पास ताकत है वे अपने एम० पीज० के जरिये मेरे ऊपर दबाव डालते हैं लेकिन मैं इस चीज को नहीं चलने दूंगा। यह मुझ को इस के बारे में अर्ज करना था। हमने जो वेल्युएशन कराया है उसमें यह असूल रखा है कि जमीन की बाजारी कीमत रखी जाय और सुपर स्ट्रक्चर की वह कीमत रखी जाय जो कि खर्च हुई है। अगर इन कीमतों का उन कीमतों से मुकाबला किया जाय जो नीलाम में मिली है तो मेरा ख्याल है कि यह कीमत उससे ४० या ५० फीसदी कम होगी।

एक सवाल यह उठाया गया है। इस कानून में यह रखा है कि जिन जायदादों को हम एक्वायर करेंगे, जो कि कम्पेन्सेशन पूल में शामिल हैं, उनके ऊपर जो कोई रहन होगा या कोई चार्ज होगा तो वह कायम नहीं रहेगा। इसके लिए कुछ आपत्ति जाहिर की गयी है। इसके लिए मैं यही अर्ज करना चाहता हूं कि हम जो कायदे बनायेंगे जायदादों को हासिल करने के लिये उनमें हम इस बात को तशरीह कर देंगे कि कोई जायदाद कि जिसके ऊपर किसी किस्म का बार है, उसको हम उस वक्त तक एक्वायर नहीं करेंगे जिस वक्त तक कि वह बार अदा न कर दिया जाय। कोई जायदाद जिसके बारे में दफा १६ एड-मिनिस्ट्रेशन आफ इवैक्वी प्रापर्टी के मातहत मामला चल रहा है उसको हम उस वक्त तक एक्वायर नहीं करेंगे जब तक कि उसका फैसला न हो जाय। कोई जायदाद जिसके बारे में कस्टोडियन के सामने या कम्पेटेंट अफसर के सामने मामला चल रहा हो, उसको हम उस वक्त तक मुंतकिल नहीं करेंगे जिस वक्त तक कि वह मामला फैसल न हो जाय। लैंड एक्वीजीशन का यह असूल है कि जो जायदाद ली जाती है वह बिल्कुल साफ होती है, उसके बारे में किसी किस्म का टंटा नहीं होता। जहां हम इस बात की पूरी अहतियात करेंगे कि कोई जायदाद जिस पर बार हो उसको न लिया जाय, वहां जो जायदाद हम लेंगे उन पर कोई बार नहीं रखेंगे। मैं समझता हूं कि इससे मेरे दोस्तों को काफी तसल्ली हो जायगी।

एक सवाल मुकन्द लाल जी ने उठाया है कि हिन्दुस्तान के अन्दर कुछ ऐसे आदमी मौजूद हैं कि जिनका कर्जा चाहिए था उन लोगों पर जो कि पाकिस्तान चले गये। ये दो किस्म के कर्जे थे। एक तो किफालती। जो किफालती कर्जे हैं उनके लिए तो हमने एक कानून बनाया था, सेपेरेशन आफ इवैक्वी

इंटरेस्ट। उसमें हमने यह रखा था कि कम्पोजिट प्रापर्टी किसको माना जाय। जिनके ऊपर किसी लोकल आदमी का रहन हो। उनके फैसले हो रहे हैं और इसमें कोई दिक्कत नहीं है।

जिनके सादे कर्जे थे वे दफा २२ के अन्दर कस्टोडियन के यहां रजिस्टर हो गये हैं और कस्टोडियन को इस बात का अख्तियार है कि वह इन कर्जों की अदायगी कर सके। इसके लिए हम काफी अहतयात रखेंगे कि पेश्तर इसके कि जायदाद इधर से उधर हो इस बात का इन्तिजाम हो कि इन कर्जों का फैसला हो जाय। अब किस तरह इनका फैसला हो इस पर हम गौर कर रहे हैं। मुमकिन है इसके लिए हमको कोई कानून लाना पड़े। मैं मेम्बर साहब से यह अर्ज करना चाहता हूं कि ऐसी सूरत में जो उन्होंने अमेंडमेंट पेश किया है उसकी जरूरत नहीं है।

अब मैं आखिरी सवाल पर आता हूं जो कि सबसे बड़ा सवाल है। वह है कम्पेन्सेशन पूल को बढ़ाने का। इसमें दो पहलू हैं। एक वह है जो कि सरकार का नजरिया है। दूसरा वह है कि जो कुछ मैंने किया। मैं भवन के सामने कोई नयी बात नहीं कह रहा हूं। सब लोग यह अच्छी तरह से जानते हैं कि मुआवजे के मसले पर दो राय थीं। एक काफी मजबूत राय थी कि दोबारा बसाने पर जो कुछ खर्च किया जाय वह ठीक है लेकिन मुआवजा न दिया जाय। मैं इस राय का था कि मुआवजा दिया जाय। लेकिन मुआवजे के अन्दर रिहैबिलिटेशन का प्रिंसिपल रखा जाय, यानी सब को एक हिसाब से न दिया जाय। छोटे को मुकाबले में ज्यादा बड़े को मुकाबले में कम। मुझे खुशी है इसकी कि मेरी राय को क़बूल किया गया और यह मुआविजे की स्कीम आयी। मुझसे जो कुछ कोशिश हो सकती थी जो मेरी ताक़त थी वह मैंने लगायी और मैं जिस हद तक कामयाब हुआ वह आज इस हाउस के सामने है। पहली किस्त दी जायगी निकासी की जायदाद से और उस ८५ करोड़ पये की जायदाद और कर्जे से कि जो दुबारा बसाने के ऊपर खर्च हुआ है। अब सवाल है उसको बढ़ाने का। मैं इस बात को अच्छी तरह से जानता हूं कि पुरुषार्थी भाई मुसीबतजदा हैं और जितनी और जिस हद तक इनकी मदद की जाय वह ठीक होगा लेकिन साथ ही साथ और एक दूसरा नजरिया भी है। अभी हाल में एक डेपुटेशन भी मिला था प्राइम मिनिस्टर से और उस डेपुटेशन में इस सभा के कुछ सदस्य भी शामिल थे, उसके बारे में कुछ सुचेता जी ने चर्चा भी की। बहरहाल नजरिया यह है कि जो टैक्स वसूल होता है वह तो ज्यादातर छोटे छोटे आदमियों से वसूल होता है, बड़ा आदमी कुछ रुपया इनकम टैक्स की शक्ल में या सुपर टैक्स की शक्ल में देता है लेकिन ज्यादा टैक्स तो छोटे छोटे आदमियों से वसूल होता है और यह बात क़बूल नहीं की जा सकती कि छोटे गरीब किसानों और मजदूरों से जो पैसा इकट्ठा किया जाय उससे काफ़ी जायदाद वालों को जो नुक़सान हुआ है उसकी क्षतिपूर्ति की जाय, मेरे तमाम साथी और सहकारी मिनिस्टर आदि को आप से हमदर्दी है और सब चाहते हैं कि जहां तक रिहैबिलिटेशन के ऊपर खर्चे का सम्बन्ध है उसके अन्दर कोताही न की जाय और वह सहायता कार्य आगे भी जारी रहे। बच्चों की शिक्षा के ऊपर खर्चा हो। जो जवान हैं उनके वास्ते दस्तकारी की शिक्षा देने का कार्य जारी रक्खा जाय, या अगर कोई ऐसे रह गये हैं जिनके वास्ते अभी तक मकानों का प्रबन्ध नहीं हो सका है तो उनके वास्ते मकानों का प्रबन्ध किया जाय और जिनके पास रोजगार नहीं उनको रोजगार करने की सुविधा दी जाय ताकि वह अपना खर्च चला सकें, हम चाहते हैं कि रिहैबिलिटेशन

[श्री ए० पी० जैन]

के कार्यों को जारी रक्खा जाय जब तक कि समस्या पूरी तौर से हल नहीं हो जाती। लेकिन जो जायदाद के खिलाफ़ जायदाद या नक़दी देने का जो सवाल है उस पर और सरकारी रुपया न लगाया जावे। हर कमिनिस्टर की ताक़त महदूद होती है। मुझ से जो कुछ हो सकता था वह मैंने किया। आज मैं सरकार की तरफ़ से कोई आश्वासन नहीं दे सकता कि पूल के अन्दर कोई बढ़ोत्री ही सकती है मगर मैं अपने ऊपर भी कुछ विश्वास रखता हूं। जहां कि मैं सरकार से आयन्दा इस बात का तकाज़ा नहीं कर सकता कि जो काफ़ी जायदाद वहां पर छोड़ आये हैं उनके नुक़सान की पूर्त्ति के वास्ते और रुपया दिया जाय, वहां ज्यों ज्यों मौक़ा होगा उसके मुताबिक़ उन छोटे और गरीब आदमियों की इमदाद के लिये चाहे वह रिहैबिलिटेशन की शक्ल में हो चाहे वह मुआविज़े की शक्ल में हो, जिनका थोड़े पैसे से काम चलता है जिनके छोटे छोटे झोंपड़े और जायदादें थीं उनका मामला फिर दुबारा सरकार के सामने रखूंगा, मैं हार मानने वाला नहीं हूं, अगर हार मानने वाला होता तो शायद यह मुआविज़े का क़ानून ही नहीं आता। ऐसे छोटे छोटे आदमियों का मामला जिनके दो हज़ार, चार हज़ार या पांच पांच हज़ार के क्लेम हैं, जब भी कोई मुनासिब मौक़ा आयेगा, मैं फिर कैबीनेट के सामने पेश करूंगा लेकिन मैं आज इस पोज़ीशन में नहीं हूं कि वायदा करूं कि सरकार फौरन कोई पैसा दे सकती है या कोई पैसा देगी। लेकिन मैं दरवाज़ा बन्द नहीं होने दूंगा और जहां तक छोटे आदमियों की भलाई का सम्बन्ध है मैं पूरी कोशिश करूंगा। आपने देखा होगा कि कमेटी ने सिफ़ारिश की है कि वह रुपया जो कि मेंनटनेंस अलाउन्स की शक्ल में औरतों और बूढ़ों को दिया गया उसे पूल से वसूल न किया जावे। मैं खुश हूं कि गवर्नमेंट को इस बात के ऊपर रज़ामन्द कर सका हूं कि उस पये को कम्पेन्सेशन पूल में से वसूल न किया जाय। यह छोटी सी चीज़ है लेकिन इससे एक बात सिद्ध होती है कि दरवाज़ा बन्द नहीं हुआ और अगर कोई मुनासिब मांग हो, कोई ऐसी मांग जो छोटे आदमियों से या गरीब आदमियों से ताल्लुक रखने वाली हो तो उसके लिये एक गुंजायश है और मैं आपको यक़ीन दिलाता कि मैं उसके लिये पूरी कोशिश करूंगा। मैं जनाब का मशकूर हूं कि जितना वक्त मुझे मिलना चाहिये था उससे ज्यादा समय आपने मुझे दिया। इस वक्त जितना मुझे अर्ज़ करना था वह सब मैं अर्ज़ कर चुका।

Mr. Chairman: The question is:

"That the Bill to provide for the payment of compensation and rehabilitation grants to displaced persons and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

Mr. Chairman: We shall now go clause by clause.

Clause 2— *(Definitions)*

Mr. Chairman: There are two amendments in the Order Paper. Shri Nand Lal Sharma: absent. There is no other amendment to this clause. The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3— *(Appointment of Chief Settlement Commissioner)*

Mr. Chairman: Clause 3. There is no amendment to clause 3. The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4— *(Application for payment of compensation)*

Mr. Chairman: Clause 4.

Shri N. B. Chowdhury (Ghatal): I beg to move:

In page 3, line 29, *after* "Gazette" *insert* "and publication in all dailies in India".

This is a very simple amendment. I want that the dates by which the various categories of displaced persons are to submit their applications should not only be notified in the Official Gazette, but also in all the dailies in India. Because, we know that in our country, very few people get these Gazettes and very few people can read newspapers even. But, if it is published in the newspapers, it would have wider circulation and somehow or other, due to wide publicity, displaced persons who are scattered all over the country, may come to know of it. We feel that there is necessity for such wide publicity through publication in all the dailies of India. Otherwise, they would not be able to know that. We expect that the Government would do better to send intimation to such persons because they have got a list of all displaced persons who have verified claims. Government says that it is not feasible. If the Government is not capable of sending intimation to all persons concerned, it should at least be published in all the dailies. That is my point.

Mr. Chairman: May I know the reaction of the hon. Minister?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): Actually, it is not necessary to put this particular clause in the Bill. In the past we have been giving a lot of publicity, and we shall give more publicity, as is being done, in every possible manner.

Shri K. K. Basu (Diamond Harbour): Is it published in any of the journals, newspapers .....

Shri J. K. Bhonsle: Yes, we publish it in all the newspapers, and over the radio, and then also through the Official Gazette, and through all camp officials in various States.

Mr. Chairman: So, shall I put it? It is not necessary.

Shri N. B. Chowdhury: I am not pressing the amendment.

Mr. Chairman: There is no other amendment. So I put clause 4 to the House.

The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5— *(Determination of public dues by Settlement Officers).*

Shri N. B. Chowdhury: I have an amendment, No. 17. I want to say a few words.

Mr. Chairman: He wants to move the amendment, or simply to say a few words?

Shri N. B. Chowdhury: I want to move amendment No. 17.

I beg to move:

In page 4, line 27, *after* "if any" *insert* "except money granted on account of maintenance allowance and scholarships".

In clause 5, the question of determination of public dues by Settlement Officers has been dealt with. Various kinds of public dues have been defined in this Bill. And here I want to exclude from public dues the money granted on account of maintenance allowance and scholarships. It has just now been announced that certain kinds of maintenance allowance would not be adjusted against the compensation scheme. We want that it should not be confined to certain old people only, but it should be extended further. At least in the case of the students who are

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poor students, refugee students, who came over to India and were given certain stipends or scholarships, their guardians should not be asked to adjust these amounts against the claims of compensation, because we think that these students were put to a great many difficulties, and under such difficult circumstances these scholarships and stipends were given to the refugee students. So, we think that the Government should condone it. They should write off the amount that was given by way of scholarship to the refugee students. After all, it is not due to their fault that they had to apply for such scholarships. It was under very special circumstances, circumstances for which the leaders of the ruling party were responsible, and so, taking everything into consideration, we urge upon the Government to write off this amount, and not to adjust it against the claims compensation to which the guardian of such student may be entitled.

Shri A. P. Jain: This covers several points. One is the amount which has been paid as maintenance allowance. So far as that is concerned, we have not been recovering it, and we do not propose to recover it.

Then comes the question of scholarships by which I believe the hon. Member means educational loans. Now, so far as the educational loans given to students who had no claims or whose guardians had no claims are concerned, we have written them off, but so far as educational loans given to students who had a claim or whose guardians had a claim are concerned, I am afraid I cannot accept the position taken up by the hon. Member.

Shri N. B. Chowdhury: If it is a very small claim?

Shri A. P. Jain: Well, perhaps. I cannot accept that in this broad way, but I will be quite prepared to consider the cases where the amount of the claim is small and the loan is big. But that will be by way of some sort of relief given under section 11. But I am afraid I cannot accept the broad proposition of writing off all the educational loans recoverable from persons who had claims or whose guardians had claims.

Shri N. B. Chowdhury: I press this amendment.

Mr. Chairman: The question is:

In page 4, line 27, *after* "if any" *insert* "except money granted on account of maintenance allowance and Scholarships".

The motion was negatived.

Mr. Chairman: There is no other amendment. So I put the main clause.

The question is:

"That clause 5 stand part of the Bill".

The motion was adopted.

Clause 5 was added to the Bill

Mr. Chairman: There is one new clause 5A by Sardar Lal Singh, but he is absent. So, I go to clause 6. There is no amendment to clause 6. So, I put it to the House.

The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7.— (*Determination of the amount of Compensation*).

Shrimati Sucheta Kripalani: I want to move my amendment No. 3.

मैं यह संशोधन क्लाज ७ के अन्दर पेश करना चाहती हूं कि इस में एक एक्स्प्लेनेशन जोड़ दिया जाय । मैं प्रस्ताव करती हूं :

In Page 6, *after* line 12, add—

"*Explanation.*—When the claim of co-sharer of the joint family has either been verified jointly or in the name of the *Karta* the amount of such compensation shall be determined separately in respect of each co-sharer of the family in respect of urban immovable property left in West Pakistan."

मुझे बड़ी खुशी हुई थी जब कि मंत्री महोदय ने कहा कि जब तक वह इस कुर्सी पर रहेंगे तब तक कोई और प्रेशर उन के ऊपर नहीं चलेगा। सिर्फ इंसाफ का ही प्रेशर होगा। तो जो ऐमेन्डमेंट मैं ने दिया है वह सिर्फ इंसाफ के ही ख्याल से दिया है। इस लिये मैं समझती हूं कि मंत्री महोदय इस को जरूर मंजूर करेंगे।

जब कम्पेन्सेशन की स्कीम शुरु हुई थी और लोग अपने क्लेम्स की दरख्वास्तें भेज रहे थे तब सरकार की तरफ से साफ नहीं बताया गया था कि ज्वाइंट फैमिली क्लेम्स किस ढंग से दिये जायेंगे। कुछ लोगों ने ज्वाइंट फैमिली के अन्दर भी अलग अलग ऐप्लाई किया था और कहीं सिर्फ एक साहब ने, जो कि कर्त्ता थे, ऐप्लाई किया था। तो कुछ फैमिली में तो सिर्फ एक आदमी अर्थात कर्त्ता को ही कम्पेन्सेशन मिल जायेगा पर जिन्होंने ज्वाइंट फैमिली में रहते हुए अलग अलग क्लेम्स दिये हैं उन को अलग अलग कम्पेन्सेशन मिलेगा। दरअस्ल जहां पर एक आदमी ने ही क्लेम दिया है उस को हानि होगी क्योंकि उस का कुल क्लेम ८,००० रुपये से ज्यादा नहीं होगा। मैं जानती हूं ऐसी फैमिली हैं जिस में ७, ८ लोग शेअरर्स हैं पर एक ने ही ऐप्लाई किया है तो उस को सब के लिये सिर्फ ८,००० मिल जायेगा। और अगर किसी फैमिली में मेम्बर्स हैं और उन्होंने अलग अलग ऐप्लाई किया है, तो उन को ज्यादा रुपया मिलेगा।

जब हम लोगों ने मंत्री महोदय के सामने यह बात रक्खी तो उन्होंने इस को मंजूर किया कि इस में बेइंसाफी हो सकती है और इस को ठीक करना चाहिये। लेकिन उन्होंने हमारे सामने यह दिक्कत रक्खी कि अगर ज्वायंट फैमिली की तरफ से नई ऐप्लीकेशन ली जायेंगी तो काम बहुत बढ़ जायेगा। इस लिये मैं ने यही ठीक समझा कि क्लाज ७ में यह एक्स्प्लेनेशन जोड़ दिया जाये, ताकि जब आफिसर्स क्लेम्स को सेटिल करने लगेंगे उस वक्त वह देख लें कि कौन सा क्लेम कर्ता के नाम से आया है और कौन सा अलग अलग नाम से आया है। इस को देख कर ही वह उन अलग अलग क्लेम्स को सेटिल करेंगे। इस तरह से जो आज दिक्कत महसूस हो रही है वह भी न होगी और इस कम्पेन्सेशन स्कीम में जो बेइंसाफी होने की आशंका है वह भी दूर हो जायेगी।

मुझे आशा है कि इस बात को उचित समझ कर हमारे मंत्री महोदय मेरे इस संशोधन को मंजूर कर लेंगे।

श्री ए० पी० जैन : श्रीमती सुचेता कृपालानी ने जिस असूल को बतलाया उस में तो कुछ ताकत है क्योंकि यह वाकया है कि कुछ लोगों ने तो संयुक्त परिवार के क्लेम एक जगह दिये, कुछ ने अलग अलग दिये और इस में जरूर आपत्ति पदा होती है। लेकिन सवाल यह है कि उन को किस तरह से ठीक किया जाये। मेरा अपना दिमाग कुछ इस तरफ काम कर रहा है कि पाकिस्तान में जो कुछ भी फैमिली का स्टेटस था वही यहां रहे, अगर वह संयुक्त था तो, उस को संयुक्त माना जाये और अगर वह अलग अलग थे तो उन को अलग अलग माना जाये और अगर यहां पर उन्होंने संयुक्त

[श्री ए० पी० जैन]

क्लेम दिया है तो ठीक है ही, लेकिन अगर उन्होंने अलग अलग क्लेम दिया है तो उन क्लेमों को एकत्र कर लिया जाये और मुआवजा इस तरह से दिया जाये कि जैसे संयुक्त परिवार को दिया जाता है ; मगर इस के साथ साथ एक सवाल और पैदा होता है कि जहां संयुक्त परिवार के अन्दर एक से अधिक कुटुम्ब हों और उन को भी उसी दर से मुआवजा दिया जाये जैसा कि अलग अलग परिवार को दिया जाता है तो आर्थिक रूप से उन की दिक्कत हल नहीं होती है । जो कायदे बनायेंगे उन में यह रखा जायेगा कि मुआवजे की रकम कितनी दी जाये, क्लेम का क्या प्रतिशत हो । मैं उस में यह बात रखना चाहता हूं कि संयुक्त परिवारों को कुछ ज्यादा प्रोपोर्शन दिया जाये बनिस्बत उन के जो कि अलाहिदा अलाहिदा परिवार हैं । इस की मिसाल....

पंडित ठाकुर दास भार्गव : मैं आपकी इजाजत से जरा सा इंटरफरेंस करना चाहता हूं । अगर आप ने रूल्स बनाने हैं तो उस वक्त इस की बहस कीजियेगा । अगर आप इस वक्त कमिटमेंट कर देंगे तो रूल्स बनाते वक्त इंसाफ नहीं रहेगा ।

श्री ए० पी० जैन : मैं तो यह कमिटमेंट उन के हक में कर रहा हूं ।

पंडित ठाकुर दास भार्गव : अगर आप को प्रोस और कान्स देखने हैं तो उन को आप रुल बनाते वक्त देखियेगा ।

श्री ए० पी० जैन : मैं ने जो कानून बनाया है उस के अन्दर चाहे पूरी तस्वीर न हो लेकिन मेरे दिमाग के अन्दर तो पूरी तस्वीर है । तो मैं इस तरह से सोच रहा हूं कि फर्ज कीजिये कि एक क्लेम वाले को जिस का अलाहिदा परिवार है ३० फीसदी मिलना है तो संयुक्त परिवार को ३० के बजाय ४० या ४५ फी सदी मिलना चाहिये । जो आंकड़े मैं दे रहा हूं इन से मेरा मतलब मिसाल देने से ही है । इस की मिसाल इन्कम टैक्स में मौजूद है । वहां पर जो एक व्यक्ति को एग्जेम्प्शन दिया जाता है वह शायद ४,२०० रुपया है और जो संयुक्त परिवार को दिया जाता है वह शायद ७,२०० रुपया है ।

Pandit Thakur Das Bhargava: But tax and 'Muawaza' do not stand on the same footing.

श्री ए० पी० जैन : मैं चाहता हूं कि कुछ इसी तरह का यहां भी परसेंटेज मुकर्रर कर दिया जाये । लेकिन मुझे इस अमेंडमेंट को मंजूर करने में आपत्ति है क्योंकि हम को उस हालत में फिर से तमाम चीजों को खोलना पड़ेगा ।

Mr. Chairman: Does the hon. Member Shrimati Sucheta Kripalani want to press her amendment?

Shrimati Sucheta Kripalani: Yes, I would like to press this amendment.

Pandit Thakur Das Bhargava: But why? If the rules are to be made, it cannot be accepted.

Mr. Chairman: Shall I put it to the vote of the House?

Shrimati Sucheta Kripalani: Yes.

Mr. Chairman: The question is:

In page 6, *after* line 12, *add*:

"*Explanation.*—When the claim of co-sharer of the joint family has either been verified jointly or in the name of the *Karta* the amount of such compensation shall be determined separately in respect of each co-sharer of the family in respect of urban immovable property left in West Pakistan."

The motion was negatived.

Mr. Chairman: There are no other amendments to clause 7. I shall now put the clause to vote.

The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8.—(*Form and manner of payment of compensation*)

Mr. Chairman: There is one amendment in the name of Shri Nand Lal Sharma. The hon. Member is absent. So, I shall put the clause to the vote of the House.

The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 and 10 were also added to the Bill.

Clause 11.—(*Rehabilitation and other grants to displaced persons*)

Mr. Chairman: There is an amendment in the name of Shri P. N. Rajabhoj. Does the hon. Member want to move it?

श्री पी० एन० राजभोज (शोलापुर—रक्षित अनुसूचित जातियां) : मुझे पांच मिनट के लिये बोलने का मौका दिया जाये ।

Mr. Chairman: He may move his amendment now. He can speak later.

Shri P. N. Rajabhoj: I beg to move:

In page 8, line 3, *after* "persons" *insert* "and particularly every displaced person belonging to the Scheduled Castes".

Mr. Chairman: Amendment moved:

In page 8, line 3, *after* "persons" *insert* "and particularly every displaced person belonging to the Scheduled Castes".

Mr. Chairman: There is an amendment in the name of Shrimati Sucheta Kripalani. Does the hon. Member want to move it?

Shrimati Sucheta Kripalani: Yes. I want to move it.

I beg to move:

In page 8, line 4, *after* "grant" *insert* "or compensation".

Mr. Chairman: What about Shri Gidwani's amendment? Is he moving it?

Shri Gidwani: Yes.

Pandit Thakur Das Bhargava: Why do you want to move this, after the statement of the hon. Minister in regard to these matters?

Shri Gidwani: There is one point which I would like to clarify.

I beg to move:

In page 8, line 6, *add* at the end:

"and compensation to such displaced persons who migrated later and could not file their claims for verification under the Displaced Persons (Claims) Act, 1950 (XLIV of 1950) and to those displaced persons, who had filed their claims within the prescribed date but their claims had been rejected *ex parte* and to such displaced persons who had filed their claims after 31st December 1951, and before 31st August 1952, but the delay in filing such claims has not been condoned."

Mr. Chairman: Amendment moved:

In page 8, line 6, *add* at the end:

"and compensation to such displaced persons who migrated later and could not file their claims for verification under the Displaced Persons (Claims) Act, 1950 (XLIV of 1950) and to those displaced persons, who had filed their claims within the prescribed date but their claims had been

[M. Chairman.]

rejected *ex parte* and to such displaced persons who had filed their claims after 31st December 1951 and before 31st August 1952, but the delay in filing such claims has not been condoned."

श्री पी० एन० राजभोज: मैं ने जो अपना अमेंडमेंट मूव किया है उस के बारे में मैं कुछ कहना चाहता हूं। हम ने अपने मंत्री महोदय का भाषण बड़े गौर से सुना। वह कहते हैं कि वे गरीबों के लिये बहुत कुछ करना चाहते हैं। लेकिन जो सब से गरीब हैं उन के लिये उन्होंने एक लफ्ज भी नहीं कहा। मेरा मतलब उन शिड्यूल्ड कास्ट के भाइयों से है जो कि पंजाब से और बंगाल से आये हैं। बहुत से लोग आज रिफ्यूजीज के नाम से प्रोपेगेंडा कर रहे हैं। लेकिन मैं दिल से कहना चाहता हूं कि हमारे जो अछूत भाई हैं उन के लिये हमारे मिनिस्टर साहब कुछ करें। उन को जमीन नहीं मिलती, उन को नौकरियां नहीं मिलतीं, उन की शिक्षा के लिये कोई सहूलियत नहीं मिलती। हमारे मिनिस्टर साहब ने जो २०० करोड़ रुपया खर्च किया है मैं पूछना चाहता हूं कि उस में से अछूत भाइयों के लिये कितना खर्च किया है। उन की कितनी तादाद है। आपकी जो कमेटियां बनती हैं आप उन में उन के प्रतिनिधि नहीं लेते हैं और उन को कानफिडेंस में नहीं लेते हैं। मैं हाउस को बतलाना चाहता हूं कि यह बिल जो पास हो रहा है उस में मेरा यह अमडमट है कि इस पूल में से शिड्यूल्ड कास्ट वालों के लिये जमीन का, मकान का, शिक्षा आदि का प्रबन्ध किया जाये। और खास तौर से दो दो हजार या तीन तीन हजार रुपया उन को दे कर सब से पहले उन के लिये मकानों की सहूलियत की जाये। इस की सब से बड़ी जरूरत है। अभी कोई अछूत इयों के लिये कुछ नहीं कहता है। मगर जब इलेक्शन का वक्त आता है तो कहते हैं कि हरिजन भाइयो तुम हम को वोट दो, और वोट मिलने के बाद फिर उनका नाम भी नहीं लेते। तो मैं हाउस को बतलाना चाहता हूं कि इन लोगों का हाल ऐसा है कि मूंह में राम बगल में छुरी। यह इन का अछूतों के लिये प्रेम है। (*Interruptions*)

Mr. Chairman: Order, order. No interruptions please. The time is very short.

Pandit Thakur Das Bhargava: He is not relevant at all. What is this "मूंह में राम बगल में छुरी" It is all condemnation without anything. He has not given any facts. He is not supporting his amendment, but is speaking in a general way.

Mr. Chairman: Order, order. The time is very short. We have only 15 or 20 minutes left, and we have to go through all these amendments within this time. Therefore, I hope the hon. Member Shri P. N. Rajabhoj will finish within two minutes.

श्री पी० एन० राजभोज: हमारे ठाकुर दास भी बड़े गुस्से में बोले हैं। मैं यह कह रहा था कि हमारे शरणार्थी भाइयों के लिये कुछ करना चाहिये। इन लोगों में से बहुतों ने सरकार के पास अपने क्लेम नहीं भेजे हैं। उन लोगों को बसने के लिये कम से कम मकान होना चाहिये, उन के लिये जमीन की सहूलियत होनी चाहिये और उन को पढ़ने की सहूलियत होनी चाहिये। यह सब हम को पूल में से मिलना चाहिये। कम से कम हर शरणार्थी को दस एकड़ जमीन मिलनी चाहिये। केवल "विनोबा जी की जै" कहने से काम नहीं चलेगा। उन की स्कीम को आप को अमल में लाना होगा। मेरी प्रार्थना है, सभापति महोदय, कि हमारे शिड्यूल्ड कास्ट के भाइयों को जमीन मिलनी चाहिये

और जो मैं ने अमेंडमेंट दिया है उस को स्वीकार करना चाहिये ।

श्री ए० पी० जैन: अभी जो कुछ श्री राजभोज ने कहा, उस से मुझे बड़ी हमदर्दी है । वैसे भी वह मेरे मित्र हैं और उन की बात का तो मैं बहुत ही आदर करता हूं । मैं उन को यह भी बतलाना चाहता हूं कि अगर हिन्दुस्तान में किसी मिनिस्ट्री ने अछूतों की भलाई और बेहतरी के लिये कुछ किया तो वह हम ने किया । बीकानेर के अन्दर मेरे मित्र जा कर देखें हम ने वहां पर पांच पांच और दस दस एकड़ जमीन हरिजनों को दी है । मतसया के अन्दर जा कर देखें कि हम ने हरिजनों को किस तरह वहां पर बसाया है । अहमदाबाद में जा कर देखें कि हरिजनों के वास्ते हम ने वहां पर कोआपरेटिव सोसाइटी को पैसा दे कर कैसे मकानात बनायें हैं और उस तरह के मकान शायद हिन्दुस्तान भर में हरिजनों के पास दूसरी जगह नहीं होंगे । अगर वह जा कर देखें तो उन को मालूम होगा कि हम ने हरिजनों के लिये क्या क्या काम किये हैं । खाली यही नहीं कि हरिजनों और दूसरों के अन्दर हम ने कोई फर्क नहीं किया, जो फायदा दूसरों को मिलता है वह तो सब का सब हरिजनों को मिलता ही है लेकिन उस के अतिरिक्त भी हम ने काफी रुपया खर्च किया है हरिजनों को बसाने में उन को मकान देने में जहां तक गरीब हरिजनों का सम्बन्ध है उन के लिये हम ने काफी किया है और मुझे उन के साथ में पूरी हमदर्दी है ।

Shri Nanadas (Ongole—Reserved—Sch. Castes): What is the total amount spent for the Harijans out of these two hundred crores?

Mr. Chairman: How can he give the figures?

श्री पी० एस० राजभोज : हमें डिटेल्ड इंनफोरमेशन मिलनी चाहिये ।

श्री ए० पी० जैन: हमारे पास आओ, हम आप को सब इनफोरमेशन दे देंगे।

Mr. Chairman: Does Mr. Rajabhoj press his amendment?

Shri P. N. Rajabhoj: Yes.

Mr. Chairman: The question is:

In page 8, line 3, *after* "persons" *insert* "and particularly every displaced person belonging to the Scheduled Castes."

The motion was negatived.

Mr. Chairman: Does Mrs. Sucheta Kripalani want me to put her amendment?

Shrimati Sucheta Kripalani: Not necessary. I do not press it.

श्री गिडवानी: सभापति जी, मेरा संशोधन इस प्रकार है :

In page 8, line 6, *add* at the end—

"and compensation to such displaced persons who migrated later and could not file their claims for verification under the Displaced Persons (Claims) Act, 1950 (XLIV of 1950) and to those displaced persons, who had filed their claims within the prescribed date but their claims had been rejected *ex parte* and to such displaced persons who had filed their claims after 31st December, 1951 and before 31st August, 1952 but the delay in filing such claims has not been condoned."

मेरे संशोधन के दो हिस्से हैं । पहला उस का हिस्सा तो यह है कि ऐसे शरणार्थी जो हिन्दुस्तान बाद में आये या जिन्होंने किसी भ्रमवश या गलती से अभी तक अपने क्लेम्स दाखिल नहीं किये हैं उन के क्लेम वैरीफाई किये जायें । इस के अलावा दूसरे ऐसे भी लोग हैं जिन्होंने कि मियाद के अन्दर अपने क्लेम दाखिल किये थे लेकिन उन के क्लेम्स एक्स पार्टी रिजैक्ट कर दिये गये

[श्री गिडवानी]

उन के क्लेमों को भी लिया जाये । इस में हुआ यह कि हालांकि उन्होंने अपने क्लेम्स मियाद के अन्दर दे दिये थे लेकिन वह एक जगह से दूसरी जगह चले गये और नये पते पर अफसरान ने वक्त पर नोटिस नहीं भेजा और उन के क्लेम्स एक्स पार्टी रिजैक्ट हो गये । मेरी समझ में ऐसे केसेज दस, बीस हजार के लगभग होंगे, तो इंसाफ का तकाजा है कि ऐसे लोगों के केस लिये जायें, क्योंकि वह एक जगह से दूसरी जगह चले गये और नये एड्रेस पर उन को वक्त पर नोटिस नहीं मिल सका, बम्बई से सौराष्ट्र नोटिस आने में दो दिन लग गये और अफसरान ने भी अपना काम जल्दी खत्म करने के लिये ऐसा नोटिस दिया और वक्त पर न पहुंचने के कारण एक्स पार्टी उन के क्लेम्स रिजैक्ट कर दिये गये, उन को आप को इस में शामिल करना चाहिये । मेरा कहना है कि जब आप इतनी उदारता दिखाते हैं कि जिन्होंने देर से आने के कारण या गलती की वजह से अपने क्लेम्स नहीं दिये हैं उन के क्लेम्स आप लेंगे तो ऐसे लोगों को भी आप इस में रख लें कि जिन्होंने अपने क्लेम्स मियाद के अन्दर दे तो दिये लेकिन नयी जगह बदल लेने के कारण दूसरे प्रान्त में चले जाने के कारण वक्त पर उन के पास नोटिस न पहुंचन से उन के क्लेम्स एक्स पार्टी रिजैक्ट कर दिये गये वह भी शामिल कर लिये जायें । बस मेरी यही आप से विनती है ।

श्री ए० पी० जैन: सभा को याद होगा कि कई महीने पहले एक कानून पास हुआ था जिस का नाम डिस्प्लेस्ड पर्सनस वैरिफिकेशन आफ क्लेम्स (साप्लिमेंटरी) ऐक्ट था । उस के अन्दर यह रखा गया था कि जिस आदमी ने क्लेम दाखिल किया हो और उस का क्लेम यदि खारिज हो गया हो तो वह उस कानून के मातहत निगरानी दाखिल कर सकता है और अगर किसी आपत्ति की वजह से या मियाद खत्म हो जाने की वजह से निगरानी नहीं दाखिल कर सकता तो वह अपना रिप्रेजेंटेशन चीफ सैटिलमेंट कमिश्नर के सामने कर सकेगा जो उस क्लेम पर दुबारा वैरीफाई कर सकता है । इस कानून के अनुसार हमारे पास कई हजार दरख्वास्तें आई हैं और उन की जांच पड़ताल हो रही है । यह मामला ऐसा है जो उस कानून से ढका हुआ है और इस तरह का संशोधन लाने की कोई जरुरत नहीं है ।

श्री गिडवानी: आप समझते हैं कि जितने केसेज हैं वह सब उस कानून से कवर हो जाते हैं ?

श्री ए० पी० जैन: सैंट परसेंट ।

Mr. Chairman: Does he press his amendment?

Shri Gidwani: No, Sir. I beg to withdraw it.

The amendment was, by leave, withdrawn.

Mr. Chairman: I shall now put the clause 11 to the vote of the House. The question is:

"That clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 *was added to the Bill.*

Clause 12.—(*Power to acquire evacuee property for rehabilitation of displaced persons*).

Mr. Chairman: There is one amendment by Shri M. L. Agrawal.

Shri M. L. Agrawal (Pilibhit Distt. *cum* Bareilly Distt. East): In view of the hon. Minister's assurance, there is no necessity to move my amendment. I do not move it.

Mr. Chairman: There is no other amendment.

Shri Mulchand Dube (Farrukabad Distt.—North): I want to speak on this clause. I am finding some difficulty with regard to sub-clause (ii) of clause 12 which reads thus:

> "On the publication of a notification under sub-section (1) the right, title and interest of any evacuee in the evacuee property specified in the notification shall, on and from the beginning of the date on which the notification is so published, be extinguished and the evacuee property shall vest absolutely in the Central Government free from all encumbrances."

I am referring to the words "free from encumbrances". The question is if there is a mortgage in favour of a national on any evacuee property, how will that encumbrance be extinguished? The Evacuee Property Act has been in force from 1948 to 1954 only. The period for the mortgage is 12 years. If it was a mortgage in favour of an evacuee, of course the claim would be barred, but if the mortgage is in favour of a national of India, I do not know how it will be free from all encumbrances. The clause seems to have been taken from the Land Acquisition Act. Under the Land Acquisition Act an enquiry is made and all encumbrances are satisfied. In this case there is no provision about the satisfaction of any encumbrances.

Shri A. P. Jain: Sir, I tried to explain this issue during the course of my previous speech. I am afraid that the hon. Member did not follow it. The House is aware that about a couple of years ago we passed an Act known as the Separation of Evacuee (Interests) Act in which there was a provision for the separation of the evacuee and non-evacuee interest in composite properties.

Mr. Chairman: So, by that Act it is fully covered.

Shri A. P. Jain: Yes Sir, it is fully covered by that Act.

Mr. Chairman: I shall now put clause 12. The question is:

> "That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Mr. Chairman: The question is:

> "That clause 13 do stand part of the Bill".

The motion was adopted.

Clause 13 was added to the Bill.

Shri Mulchand Dube: I would like to say one word on this clause.

Shri A. P. Sinha (Muzaffarpur East): Vote is already taken.

Mr. Chairman: There is no amendment, and particularly there is no time. There may be certain amendments later which certain Members may want to press.

Shri Mulchand Dube: I am having some difficulty about understanding this clause.

Mr. Chairman: But he has not put in any amendment. So what is the use of it now?

Shri Mulchand Dube: There was a certain reason for not moving an amendment.

Mr. Chairman: If he insists, I shall have to allow him.

Shri Mulchand Dube: Clause 13 reads:

> "There shall be paid to an evacuee compensation in respect of his property acquired under section 12 in accordance with such principles and in such manner as may be agreed upon between the Governments of India and Pakistan".

Now, compensation has to be paid to the evacuee in respect of the property that has been acquired. If we are to wait till the Pakistan Government agrees to the principles of compensation, I think the matter will never end. I think the matter should

[Shri Mulchand Dube]

not be left to the Government of Pakistan's decision. A time-limit should be fixed within which the Pakistan Government should be able to say whether they agree with the principles or they do not agree with the principles.

Pandit Thakur Das Bhargava: No clarification is required. It is quite clear.

Shri A. P. Jain: It is quite clear. We are not going to wait for Pakistan.

Clause 14.— (*Compensation pool*)

Pandit Thakur Das Bhargava: I have got an amendment.

Mr. Chairman: Are there any other amendments?

Shri M. L. Agrawal: There is an amendment in my name. I do not want to move it.

Pandit Thakur Das Bhargava: My amendment is:

In page 9, *after* line 6, *add*—

"Provided that such contribution by the Government shall in no case be less than the amount which taken along with the real value of the 185 crores (face value) appropriated for the purpose of payment of compensation will make up at least fifty per cent of the verified claims of the refugees and the compensation due to the public trusts and public institutions left in Western Pakistan".

श्री आर० डी० मिश्र (जिला बुलन्दशहर) : मेरा अर्ज करना यह है कि पंडित ठाकुर दास भार्गव सिलेक्ट कमेटी के चेअरमैन थे । न तो आप ने कोई नोट आफ डिसेन्ट ही दिया और न अपना कोई राइट ही रिजर्व किया है तो फिर यह कैसे अपना एमेंडमेंट मूव कर सकते हैं ?

Mr. Chairman: Order, order.

Dr. Ram Subhag Singh (Shahabad South): That is a good point of order.

Mr. Chairman: He might not have put in a note of dissent. But he might have changed his mind after the discussion here.

Pandit Thakur Das Bhargava: I have not even changed my mind. It is absolutely consistent with my Chairmanship of the Select Committee and my membership of the Select Committee. It is consistent for the hon. Member also who is objecting to it to support it, and it is also consistent for the hon. Minister to support it.

Shri A. P. Jain: May I say a word?

श्री आर० डी० मिश्र : इस में १८५ करोड़ रुपये प्रोवाईड करने के लिये जो एमेंडमेंट पेश कर के सरकार को बाऊंड किया जाता है, उस के लिये प्रेजीडेन्ट के सेंक्शन की जरुरत है ।

पंडित ठाकुर दास भार्गव : जनाब वाला, यह जो दफा १४ है उस के ऊपर सैलेक्ट कमेटी की रिपोर्ट है, मैं उस को पढ़ कर आप की खिदमत में सुनाना चाहता हूं :

Shri A. P. Jain: Obviously, if this amendment is passed, it will create a charge on the Consolidated Fund of India.

Pandit Thakur Das Bhargava: I am not going to press it.

मैं जनाब की इजाजत से अर्ज करना चाहता हूं कि दफा १४ में इस कमेटी ने जो नोट लिखा है उस के अन्दर साफ लिखा हुआ है । जो ऐमेन्डमेंट मेरा है उस को मैं यहां पर नहीं रख रहा हूं क्योंकि जैसे अल्फाज बिल में हैं उन से भी हमारा काम चल जाता है । और यही वजह है कि मैं अपने ऐमेन्डमेन्ट को प्रेस नहीं करना चाहता हूं, हालांकि मैं यह जरुर कहूंगा कि यह बड़ी कंसिस्टेंट चीज है । मैं ने अर्ज किया था कि मिनिस्टर साहब और कमेटी के ५१ मेम्बरान कासा

गदाई ले कर कैबिनेट के पास जायें और अर्ज करें। अभी मैं ने आनरेबल मिनिस्टर साहब की तकरीर सुनी, उस से मुझे कुछ इत्मीनान हुआ और मुझे जरा भी ताम्मूल नहीं है कि आनरेबल मिनिस्टर साहब ने जिस कदर काम रिफयूजीज के लिये किया है उस के वास्ते में उन को ट्रिब्यूट पे करूं, लेकिन मेरे पास वक्त नहीं है और न पूरे अलफाज हैं कि उन की ठीक सराहना कर सकूं। मैं जानता हूं कि आनरेबल मिनिस्टर साहब ने शरणार्थियों को कम्पेन्सेशन दिलाने के लिये अपनी मिनिस्ट्री की भी परवाह नहीं की। मैं उन का निहायत ही मश्कूर हूं इस के लिये कि जिस तरह से उन्होंने अपना फर्ज अिदा किया। इस के लिये मैं और कुछ नहीं कहना चाहता सिवा इस के कि उन्होंने अपने फरायज को पूरी तरह अदा किया है।

अब वक्त आ गया है। मैं यह नहीं अर्ज करता कि मिनिस्टर साहब अपनी कपेसिटी से आगे बढ़ जायें, जो कुछ उन्होंने किया है उस से उन के तरफ से हमारी तसल्ली है। मैं जानता हूं कि इस रुपये को पांच साल में देना है। पर जो कम्पेन्सेशन आप दे रहे हैं उस में जो रुपया ५० फी सदी से कम पड़ता है उस को आप पूरा कर दें। यही मेरी गुजारिश है। मैं जब यह कहता हूं तो जो कुछ आप ने किया है उस के लिये मश्कूर होते हुए कहता हूं। लेकिन जिन को हम पे करना चाहते हैं, चाहे पांच साल में दें, लेकिन उन के क्लेम बैरिफाई जो हो चुके हैं या होंगे उन को ५० फी सदी पूरा करदें।

मेरा इत्मीनान है और आप ने यह भी ऐनाउंस कर दिया है कि जितने गरीब आदमी हैं जिन के क्लेम नहीं पहुंचे हैं वह अब भी दे सकेंगे। इस के लिये मैं कहना चाहता हूं कि उन का ज्यादा क्लेम है इस कम्पेन्सेशन के ऊपर। लेकिन कम्पेन्सेशन क्लेम के तरीके पर न दिया जाये, रिहैबिलिटेशन के तरीके से दिया जाये। आप हमारी इस ख्वाहिश को कैबिनेट तक पहुंचा दें। हम ने अली बाबा चालिस चोर की कहानी सुनी है, आप अली बाबा की तरह हमारी रहनुमायी कर के इसे कैबिनेट के सामने पेश कर दें।

Shri A. P. Jain: I do not want to say anything.

Mr. Chairman: The question is:

"That clause 14 stand part of the Bill".

The motion was adopted.

Clause 14 *was added to the Bill.*

Mr. Chairman: What I propose to do is this. I shall give at least ten minutes for the third reading stage. So I want to dispose of all the amendments and clauses by 2.10.

Pandit Thakur Das Bhargava: Nothing is left.

Shri J. K. Bhonsle: At 2.5.

Sardar A. S. Saigal (Bilaspur): It should be 2.5, because we will be finishing at 2.15.

Mr. Chairman: The question is:

"That clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 *was added to the Bill.*

Clause 16.— (*Management of compensation pool*)

श्रीमती सुचेता कृपलानी: मैं प्रस्ताव करती हूं :

"In page 9, *after* line 35, *add*—

"(4) While appointing managing officers or managing corporations, the Government shall specify the period within which the said officer or corporation shall dispose of the property.

Provided that in no case shall this period exceed three years from the date of the appointment

[श्रीमती सुचेता कृपलानी]

of the managing officer or the corporation."

यह संशोधन मैं ने इस ख्याल से रक्खा कि जो मैनेजिंग कारपोरेशन्स या मैनेजिंग आफिसर्स ऐप्वाइंट किये जायेंगे उन का काम रहेगा मैनेजमेन्ट और डिस्पोजल । जो आफिसर्स या कारपोरेशन्स रहेंगे वह सभी भले आदमियों के नहीं होंगे, लेकिन कुछ ऐसे भी हो सकते हैं, जैसे कि मैं हूं, जिन के मन में कुछ लालच होगी कि अब ताकत उन के हाथ में आ गई है इस लिये उस को लम्बा बढ़ायें । इस में वेस्टेड इन्टरेस्ट क्रिएट हो जायेंगे और यह डर है कि जिस प्रापर्टी को जल्दी से जल्दी डिस्पोज होना चाहिये वह लम्बे दिनों तक चलती रहे । यह डर इस लिये और भी है कि उन दिनों जब रिफ्यूजी कैम्पस बने थे उन में बहुत से गवर्नमेंट के आफिसर्स रक्खे गये थे । उन दिनों श्री मोहनलाल सक्सेना मिनिस्टर थे, जब वह काम खत्म करना चाहते थे तो उन के रास्ते में रुकावटें आईं । जो लोग मैनेज कर रहे थे उन लोगों ने डालीं । उन के वेस्टेड इन्टरेस्ट थे कि उन की नौकरी चली जायेगी । इस लिये मैं चाहती हूं कि कहीं फिर ऐसा न हो कि रिफ्यूजीज को जल्द से जल्द जायदाद मिलने के बजाय गड़-बड़ी पैदा हो जाये और जायदाद उनके हाथ में न आये और जो मैनेज करवाते हैं वही उसको मैनेज करते रहें ।

इसलिये मैं चाहती हूं कि टाइम मुकर्रर कर दिया जाये कि तीन साल के अन्दर उनको अपना काम खत्म कर देना चाहिये और जितने भी आप कारपोरेशन ऐप्वाइंट करें, ऐप्वाइंट करते वक्त उनको बता दिया जाये कि एक साल, डेढ़ साल या दो साल के लिये कायम किये जा रहे हैं और इस समय के अन्दर उनको काम खत्म करना पड़ेगा । अगर वह नहीं खत्म कर पाते तो उनको एक्सटेन्शन दिया जा सकता है, इसमें कोई रुकावट नहीं है, लेकिन आप एक सीलिंग रख दें तभी जल्दी से जल्दी काम हो सकता है । जितनी जल्दी यह काम खत्म हो उतना ही रिफ्यूजीज के लिये अच्छा है । इसीलिये मैं ने यह अमेंड-मेंट दिया है ।

बाबू रामनारायण सिंह (हजारीबाग पश्चिम) : मैं इस संशोधन का समर्थन करता हूं और निवेदन करता हूं मंत्री महोदय से कि वह इस संशोधन को स्वीकार कर लें क्योंकि यह बहुत ठीक है ।

श्री ए० पी० जैन : जो कुछ मेरी बहन सुचेता कृपालानी ने कहा है मैं उससे सहमत हूं । काम जल्दी होना चाहिये । इस से मेरी पूरी सहमति है । मगर मैं यह समझता हूं कि यह एमेन्डमेंट नहीं है, क्योंकि हो सकता है कि २०० करोड़ रुपये की जायदाद नियत समय में न बिक सके ऐसी हालत में क्या होगा, वह किस में वेस्ट करेगी । इस लिय मैं समझता हूं कि जहां इस की पूरी कोशिश होनी चाहिये, और हम, करेंगे, कि जल्दी से जल्दी मुआवजा दिया जाय और उस का निपटारा हो जाये, वहां इस में इस किस्म की कोई शरायत होना मुनासिब नहीं है ।

2 P.M.

Shrimati Sucheta Kripalani: I do not press my amendment.

Mr. Chairman: The question is:

"That clause 16 stand part of the Bill."

The motion was adopted.

Clause 16 *was added to the Bill.*

Clauses 17 *to* 30 *were also added to the Bill.*

Shrimati Sucheta Kripalani: Sir, I have a small amendment to this

clause—amendment No. 8—about the addition of the words "non-officials" after the word "Board". From the report of the Select Committee it is quite obvious that it is intended that the Board should be non-official. Therefore, I thought this was left over by mistake in drafting and so, I would request the hon. Minister to accept it.

Mr. Chairman: There is another amendment to this clause by Shri D. C. Sharma.

Shri D. C. Sharma: In view of the assurance given by the hon. Minister to me, I do not want to move my amendment.

श्री ए० पी० जैन : जहां तक इस अमेंडमेंट का सम्बन्ध है श्रीमती सुचेता कृपालानी खुद जानती हैं कि मौजूदा एडवाईजरी कमेटी में पांचों मेम्बर नान आफिशियल हैं। इस के पहले जो एडवाइजरी कमेटी थी उस में सात या आठ मेम्बर थे। उन में एक आफिशियल था। इस तरह की कमेटियों में एक बड़ा बहुमत नान आफिशियल मेम्बरों का होना चाहिये लेकिन तजर्बा बतलाता है कि अगर एक दो आफिशियल हो तो वह बहुत मदद कर सकते हैं। उस को डिपार्टमेंट की बातें मालूम रहती हैं। और वह तमाम चीजें इकट्ठा कर सकते हैं। इसलिये मैं यह नहीं चाहता कि कोई पाबन्दी हो, लेकिन मैं यह घोषणा करना चाहता हूं कि एक और ज्यादा से ज्यादा दो आफिशियल मेम्बर रहेंगे। मैं चाहता हूं कि सुचेता जी अपने अमेंडमेंट को पेश न करें।

Shrimati Sucheta Kripalani: I am not keen on my amendment.

Mr. Chairman: The question is:

"That clause 31 stand part of the Bill."

The motion was adopted.

Clause 31 was added to the Bill.

Mr. Chairman: There are some amendments by Shri D. C. Sharma to clauses 35, 39A and 40. Does he want to move them?

Shri D. C. Sharma: Sir, in view of the assurance given to me by the hon. Minister yesterday morning, I withdraw my amendments.

Mr. Chairman: The question is:

"That clauses 32 to 40 stand part of the Bill."

The motion was adopted.

Clauses 32 to 40 were added to the Bill.

Mr. Chairman: The question is:

"That the Schedule, Clause 1, Long Title and the Enacting Formula stand part of the Bill."

The motion was adopted.

The Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri J. K. Bhonsle: Sir, I beg to move:

"That the Bill be passed".

Mr. Chairman: Motion moved:

"That the Bill be passed."

लाला अचित राम (हिसार) : माननीय अध्यक्ष जी, मुझे बड़ी खुशी है कि यह बिल पास होने जा रहा है। इस के पहले का जो इतिहास है वह आप के सामने है उस को देख कर बड़ी खुशी होती है। कम से कम उस इतिहास ने यह बात साफ कर दी है कि हमारे मंत्री जी ने भी यही नुक्तेनजर पेश करने की कोशिश की है कि यह कम्पेन्सेशन पूल बढ़ाया जाये। वह ऐसा करने में बिल्कुल जस्टीफाइड हैं क्योंकि पब्लिक ओपीनियन उन के पीछे मुत्तहिदा तौर पर है। यह बात किसी से छिपी हुई नहीं है कि इस वक्त हिन्दुस्तानी की पब्लिक ओपीनियन इस बात के हक में है कि कम्पेन्सेशन पूल को बढ़ाया जाये। प्रेस इस के हक में है। जहां तक कि कांग्रेस आर्गेनाइजेशन

[लाल अचिन्त राम]

का ताल्लुक है वह इस के हक में है । अभी पेप्सू में एक कानफ्रेंस हुई उस में यह रिजोल्यूशन पेश किया गया कि इस को बढ़ाया जाय । और कम से कम ५० पर सेंट बढ़ाया जाये । पंजाब की कांग्रेस कमेटी की भी यही राय है और जहां तक मैं समझता हूं पंजाब गवर्नमेंट की भी यही राय है । तमाम एसोसियेशन्स ने एक जबान से इस बात को कहा है कि इस को बढ़ाया जाये । जिस वक्त यह बिल इस हाउस में पहले पेश हुआ था उस वक्त भी जितने मेम्बर बोले उन सब ने एक जबान से कहा कि इस को बढ़ाया जाये और कल से जो १४ मेम्बर बोले हैं उन्होंने भी यही कहा है कि इस कम्पेन्सेशन पूल को बढ़ाया जाये । सिलेक्ट कमेटी के ५१ मेम्बरों ने जिन में मिनिस्टर साहब भी शामिल हैं यह कहा है कि इसको ५० परसेंट बढ़ाया जाये । तो इस मसले पर इतनी यूनानिमिटी है । पंडित ठाकुर दास ने कहा कि हम कासाये गदाई ले कर कैबिनेट के पास जायगे और मंत्री साहब ने जिस हिम्मत से काम लिया है वैसी वह आगे भी दिखायेंगे । मैं तो कहता हूं कि यह कासाये गदाई ले कर जाने की कोई जरुरत ही नहीं है । मेरे दिल में तो इन तमाम चीजों को देख कर यह सवाल पैदा होता है कि कासाये गदाई ले कर जाने से क्या फायदा होगा । इन सब चीजों को देख कर जब मैं यह देखता हूं कि इतनी पब्लिक ओपीनियन को भी गवर्नमेंट नहीं मानती तो मैं सोचता हूं कि :

Where are we living? Are we living in democratic times? Are we living under a democratic constitution?

सारे मुल्क की मित्तहिदा आवाज इस के हक में है । कोई डिशेंसयंट वाइस नहीं है । सलेक्ट कमेटी में कांग्रेस पार्टी वाले और नान कांग्रेस मैन सभी यह कहते हैं कि इस को कम से कम ५० परसेंट बढ़ाया जाये । अगर इतने पर भी इसको मंजूर न किया जाय तो वह तो ऐसा है कि कोई सूरज को भी न देखना चाहे । आज जो मुल्क में पब्लिक ओपीनियन है उस को गवर्नमेंट नहीं देखती । मुझे अफसोस है कि यहां फाइनेन्स मिनिस्टर साहब नहीं हैं । अगर वह होते तो इस बात को देख सकते । अगर इतनी ओवरव्हेल्मिंग पब्लिक ओपीनियन होते हुए भी कोई इस चीज को न देखना चाहे तो उस के मुताल्लिक क्या कहा जाये । इस वास्ते मैं समझता हूं कि जिस तरीके से यह बिल पास हो रहा है वह इस की शहादत है कि इस के बाद और कोई चारा नहीं रहेगा । अगर इतनी पब्लिक ओपीनियन के होते हुए भी इस चीज को मंजूर नहीं किया जाता तो हम को सोचना होगा कि हमारा डिमाक्रेसी का दावा कहां तक ठीक है । ऐसा मेरा ख्याल है । इतना तो मैं ने इस बारे में अर्ज कर दिया ।

दो एक चीजें और ह जो कि मैं मिनिस्टर साहब से अर्ज कर देना चाहता हूं । अभी तक किसी ने यह जिक्र नहीं किया कि कम्पेसेशन देने म कुल कितना वक्त लगेगा । मिनिस्टर साहब ने कहा है कि तीन बरस लगेंगे । उन्होंने इस काम को करने के लिये अच्छे अच्छे आदमी रखे हैं इस से मुझे सन्तोष हुआ । उन्होंने एक बात कही कि मैं अपनी बात करूंगा और जो ठीक समझूंगा उस को आखिर तक करुंगा । जिस तरह वह अपनी बात पर कायम रहना चाहते हैं वैसे ही वह दूसरों को भी हक देंगे । मैं भी उन से बराबर कहता रहा हूं और अब भी कहूंगा कि इस काम में वक्त कम किया जा सकता है ? मैं दूसरी मिनिस्ट्रयों को कहता हूं कि वे इन को मदद करें । मैं जानता हूं कि हमारे मिनिस्टर साहब दयानतदार हैं । लेकिन मैं चाहता हूं कि वह और आदमी लें और इस काम को जल्दी खत्म क । तीन बरस का वक्त बहुत

ज्यादा है । एक जेनेरेशन बीस बरस में खत्म हो जाती है : सात बरस तो पहले ही बीत चुके और तीन बरस आप और लेना चाहते हैं । इस तरह से इस काम में आधी जेनेरेशन खत्म हो जायेगी । इस वास्ते मैं फिर कहूंगा कि आप इस काम को जल्द खत्म करें । मैं अब भी कहता हूं कि गवर्नमेंट को यह चाहिये कि बाकी मिनिस्ट्रियों के जरिये इन की मदद करे ताकि यह काम जल्द खत्म हो ।

दूसरी बात जो मैं बहुत थोड़े में अर्ज करना चाहता हूं वह गवर्नमेंट द्वारा इवैकुई प्रापरटी और सरकारी मकानों की नीलाम के बाबत है और जिस तरह वह नीलाम हो रहा है उस को देख कर मुझे बड़ी हैरानी होती है । आपने कहा कि दो ढाई लाख मकान बनाये गये और नीलाम यहां पर केवल २०० या २५० मकानों का किया जा रहा है तो इस के लिये इतना शोर क्यों है ? अभी उस दिन नीलाम आपने किया और वहां पर लाठी चार्ज हुआ, आप कहें कि नहीं हुआ, खैर जो भी हो लेकिन मेरे पास एक आदमी आया जिस से मालूम हुआ कि एक आदमी बेहोश पड़ा है अभी तक, अब वह कैसे और क्यों बेहोश पड़ा है . . . .

श्री ए० पी० जैन : आपने अपनी आंखों से देखा ।

लाला अचित राम : मैं ने अपनी आंखों से तो नहीं देखा लेकिन मेरे पास दो तीन आदमी आये और उन से मालूम हुआ कि एक शख्स बेहोश पड़ा है । खैर यह मेरा विषय नहीं कि वह क्यों बेहोश पड़ा है या लाठी चार्ज हुआ कि नहीं हुआ, मैं नहीं कह सकता कि क्या बात हुई । हां तो मैं आप को बतला रहा था कि दिल्ली में ऐसे २००, या २५० मकान हैं जो कि नीलाम हो रहे हैं जब कि दिल्ली में ही ऐसे सैकड़ों और हजारों आदमी पड़े ह जिनको अभी तक मकान नहीं मिले हैं, वह उन को दिये जाने चाहियें ।

श्री ए० पी० जैन : मैं जरा सी बात साफ कर दूं । दिल्ली में दो सौ, ढाई सौ मकानों के अलावा बाकी हिन्दुस्तान में जो खाली मकान ह हमें उन को बेचने का हक है ।

लाला अचित राम : मैं समझता हूं कि आप का बेचना बिल्कुल मुनासिब और जायज है, शर्त सिर्फ इतनी है कि आप के बेचने से कोई आदमी बेघर न हो जाये । अगर कोई बेघर न रहे तो आप को बेचने का पूरा हक है लेकिन अगर अभी लोग बेघर हों, तो आप का बेचना मुनासिब और जायज नहीं है ।

दुकानों के बारे में जो आप ने कहा कि कीमत ज्यादा है या कम है तो इस बारे में भी आप को ख्याल रखना जरूरी है कि आप के फेल से कोई आदमी बेदुकान न हो जाये । उस बेचारे ने बड़ी मुश्किल से पिछले सात वर्षों से अपने बिजनेस को वहां किया है वह कहीं उन दुकानों के बाहर न कर दिया जाये जिस से वह बेकार हो जाये और उस की रोजी जाती रहे, बड़ी मुश्किल से इस अर्से में वह वहां अपना बिजनेस ठीक तरह से जमा पाया है । बस मुझे यही चन्द बातें अर्ज करनी थीं ।

Mr. Chairman: The scheduled time is over now.

Sardar A. S. Saigal: It is up to 2-15 p.m.

Mr. Chairman: Then, let the House take some time out of the other business of the day.

شری ایم - ایچ - رحمان (ضلع مرادآباد مدھیے) : مسٹر چیرمین - مجھے اس بات کی خوشی ہے کہ آج ہم ایک بڑے فرض سے سبکدوش ہو رہے ہیں اور جوائنٹ سلیکٹ

[شری ایم - ایچ - رحمان]

نہیں رہ سکتا - یاد رکھئے ہماری پارلیامنٹ میں جو تقریر ہوتی ہے وہ صرف اس پارلیامنٹ ہاؤس تک ہی محدود نہیں رہتی بلکہ باہر پبلک پر بھی اس کا بہت بڑا اثر ہوتا ہے - میرا دل یہ چاہتا ہے کہ جس طرح ہمارے دلوں میں ریفیوجی بھائیوں کا احساس ہے اور ہم نے سیکڑوں انڈی ویجئول کیسوں میں اپنے ہندو اور سکھ ریفیوجی بھائیوں کی مدد کی ہے اور عام طور پر ان کی مدد کی جاتی رہی ہے تو وہ ٹھیک ہے اور ہونا چاہیئے لیکن ہاؤس میں ذمہ دار آدمی اس قسم کی تقریریں نہ کریں کہ جن سے یہ محسوس ہو کہ مسلمان ایک الگ چیز ہیں اور جب کبھی کوئی ریفیوجیز کا [مسئلہ آئے جب کبھی کوئی ایسی بات آئے تو ہندوستان کے مسلمان کو لا کر کھڑا کر دیا جائے جس سے بیچارے ریفیوجیز یہ سمجھیں کہ ان بد بخت مسلمانوں کی وجہ سے ہمارے کاز کو نقصان پہنچتا ہے - ہمارے شری تنڈن جی نے اور سوچیتا جی نے جیسی تقریریں کی ہیں وہ اسی طرف اشارہ کرتی ہیں - یہ جو طریقہ کار ہے میں اس طریقہ کار کی سخت مخالفت کرتا ہوں اور میں سمجھتا ہوں کہ یہ طریقہ اس ہاؤس کے ذمہ دار ارکان کی طرف سے نہیں ہونا چاہیئے.....

کمیٹی نے جو آپ کے سامنے بل رکھا ہے اس کو ہم پاس کر رہے ہیں - جوائنٹ سلیکٹ کمیٹی کے ایک ممبر کی حیثیت سے میں یہ سمجھتا ہوں کہ متفقہ رائے سے بہت خوبی کے ساتھ تمام معاملات طے ہوئے اور اس بات کو سبھی مان رہے ہیں جیسے ابھی ہمارے بھائی شری اچلت رام نے فرمایا کہ ہم ایسا محسوس کرتے ہیں کہ اب تک جو کام کیا گیا ہے وہ بہت کم ہے اور اس سے زیادہ اس عرصہ میں کیا جانا چاہیئے تھا اور زیادہ سے زیادہ ہمارے ریفیوجی بھائیوں کو مدد ملنی چاہیئے اور اس کے لئے جو بھی طریقے ہوں ان کو اختیار کرنا چاہیئے - اس کام کو انجام دینے کے لئے مختلف سجیشن دئے گئے ہیں اور جب جب ضرورت ہوگی اور بھی مختلف قسم کی چیزیں پیش کریں گے - لیکن ایک بات احساس کر کے مجھے بہت تکلیف ہوتی ہے وہ میں آپ کو بتلا دوں کہ کل جو یہاں پر تقریریں ہوئیں ان سے یہ محسوس ہوتا تھا کہ گویا ریفیوجی بھائیوں کا مسئلہ کچھ ایسا مسئلہ ہے کہ وہ ہندوستان کے بسنے والے مسلمان بھائیوں کے مقابلے میں کوئی ایک مخالفت کی اسپرٹ رکھتا ہے - بار بار ایک ایسے انداز سے یہاں پر بات کی گئی کہ جس سے یہ نتیجہ نکلے بغیر

[**Shri M. H. Rahman** (Moradabad Distt.—Central): Mr. Chairman, I am glad that we are performing a great duty to-day by passing this Bill as it has emerged from the Joint Select Committee. I can say, as a member of the Joint Select Committee, that all the points at issue were settled unanimously and amicably. We all concede and feel, as stated just now by Shri Achint Ram, that whatever has been accomplished so far is too insufficient and that more should have been done during this period. We concede that still greater relief should be provided to our refugee brethren and that all possible measures should be adopted to that end. Various suggestions have been put forward with a view to the execution of this task and more are expected to be made in due course. But there is one matter which has caused me a great deal of pain. From the trend of the speeches made here yesterday, one had the feeling as if the problem of our refugee brethren could be tackled only in a spirit of hostility to the Muslims living in India. Time and again the tenor of the speeches led inexorably to the same conclusion. We should remember that a speech delivered in this House does not remain confined only within the Parliament House, but has considerable repercussions on the public outside. We have a feeling of sympathy for our refugee brethren and we have helped hundreds of them, Hindus and Sikhs, individually. We have been helping them generally and this is only right and proper. I think it would be better if responsible people in the House refrain from making such speeches as might give the impression that the Muslims are a separate entity. It is not proper, whenever some problem of the refugees or some such thing crops up, to bring in the Indian Muslims, so as to give the poor refugees the impression that it is on account of these Muslims that their cause has suffered. The speeches that have been made by Shri Tandon ji and Sucheta ji give this indication. I strongly protest against this kind of approach and feel that responsible Members of this House should not adopt this attitude.....]

श्रीमती सुचेता कृपालानी (नई देहली): मुझे इस पर एतराज है । मैंने ऐसी कौन सी बात कही जिस पर आपने यह एतराज किया ?

شری ایم - ایچ - رحمان : آپ نے جو یہ کہا کہ مسلمانوں کے ساتھ نرمی برتی جاتی ہے اور ایک صاحب نے کہا کہ اس کا اثر ہمارے کمپنسیشن پول پر خراب پڑتا ہے -

[**Shri M. H. Rahman:** You said that leniency was being shown to Muslims and another speaker said that it had a prejudicial effect on the compensation pool.]

Shrimati Sucheta Kripalani: You have not understood my speech. I would like you to withdraw your remarks.

شری ایم - ایچ - رحمان : میں اس کو واپس نہیں لے سکتا -

[**Shri M. H. Rahman:** I cannot withdraw them.]

Sardar A. S. Saigal: On a point of order, who is in possession of the House?

Mr. Chairman: Maulana Hifzur Rahman (*Interruption*). Now the time is over.

شری ایم - ایچ - رحمان : صرف ایک منٹ اور چاہتا ہوں -

[**Shri M. H. Rahman:** I want one minute more.]

Dr. Ram Subhag Singh (Shahabad South): I would like that the speech of Mrs. Sucheta Kripalani should be read out here, I mean the portion of it to which Maulana Hifzur Rahman refers, so that the House may be enlightened.

Mr. Chairman: The scheduled time is over.

شری ایم - ایچ - رحمان : خیر آپ کی یہی مرضی ہے تو میں بیٹھے جاتا ہوں -

[**Shri M. H. Rahman:** If such is the Chair's wish I resume my seat.]

Shrimati Sucheta Kripalani: I would like to make my position clear. A very serious charge has been levelled against me by the hon. Member. I have been serving in public life for the last twenty years. (*Interruption*) and I am absolutely justified in replying to the hon. Member's false charge, absolutely uncalled for charge, against me. I have been serving in public life for over twenty years. You should go to Dr. Zakir Hussain to find out what I have done for the Muslims in Delhi. When the riots were going on in Delhi, I was moving about in the Muslim localities and helping the Muslims. What did I say yesterday? I said that I certainly do not like the Government's policy of conceding to Pakistan, and if the hon. Member is hurt over that remark of mine, he is welcome to feel hurt.

شری ایم - ایچ - رحمان : میں یہ گزارش کروں گا کہ ایک حضرات کو تو موقع دیا جاتا ہے کہ وہ اپنی بات کہے اور میں جو دو منٹ اپنی بات کہنا چاہتا ہوں مجھے موقع نہیں دیا جاتا ہے - میں قاعدہ کا پابند ہوں اس لئے میں تو نہیں بولوں لیکن جن کو بولنے کا حق بھی نہیں ہونا چاہیئے وہ برابر بولے جا رہے ہیں - یہ کون سا طریقہ ہے -

[**Shri M. H. Rahman:** I must submit that whereas one person is being allowed the opportunity of having her say, I am not being allowed even two minutes to express my views. I am asked not to speak as I am barred by the rules and yet another person who is not even supposed to have the right to speak is going on. I cannot understand this?]

Mr. Chairman: I request both the Members to be patient and not to quarrel in this way in the House. After all, whatever has been said is on record and there are other forums to settle this.

Shrimati Sucheta Kripalani: Please scrutinise the record.

Shri J. K. Bhonsle: I rise to thank the hon. Members of this House for their constructive approach and for the way in which the business of the House has been conducted. I hope this Bill, when passed, will bring in prosperity to thousands of displaced persons who have been waiting for this opportunity to come along their way.

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

CONSTITUTION (THIRD AMENDMENT) BILL

Mr. Chairman: The next item of business is for the hon. Commerce and Industry Minister to move that the Constitution (Third Amendment) Bill be taken into consideration.

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to move that the Bill further to amend the Constitution of India, as reported by the Joint Select Committee, be taken into consideration.

My task in commending this motion to the House has been considerably simplified by the fact that the Select Committee hardly made any changes in the Bill. The only change made was in clause 2 under entry 33, sub-clause (a) and it is a verbal change which is indicated by the words underlined "where the control of such industry". Hon. Members will recognise this change, purely verbal, and it does not alter the meaning of the particular sub-clause. I think it would not be giving the measure of respect that I should give to hon. Members who have appended a minute of dissent to this Report of the Joint Committee if I do not give some attention to what they have said. The hon. Members who have submitted a minute of dissent, many of them are prominent lawyers, experienced in public life, and whatever they have said has to be given some attention. But unfortunately I do not find that any new point has been raised in the minute of dissent appended to the Report of the Select Committee beyond what was mentioned on the floor of the House. The minute of dissent proceeds with a generalisation that the amendment, if passed, will constitute a serious encroachment on the rights and powers of the constituent units of the Indian Republic. I thought that the considerable amount of pains through which I went on the day when I moved the motion for reference to Select Committee would have shown that the powers enumerated in article 369, quite a number of them, have necessarily been absorbed by the Centre by virtue of a declaration under item 52 of List I of Schedule VII, and some of the items mentioned in the amendment to item 33 would also constitute indirectly, or perhaps directly, something which is necessary for sustaining the industries which have been declared to be of national importance, and which leaves only a very large residue or lay-off, namely, foodstuffs. I think hon. Members here who participated in the debate also stressed the need for some kind of an overall regulation by the Centre in regard to foodstuffs, having in view the fact that we have several constituent units in the Union which are deficits so far as foodstuffs are concerned. I cannot see how the question of providing a regulatory measure, should that be necessary in order to safeguard the interests of the weaker units in the Union in respect of foodstuffs, would be a serious encroachment upon the powers and rights of the constituent units as a whole.

There has been either a slight—shall I say—misapprehension or a misreading of the nature of concurrent powers, indicated in the Minute of Dissent. I would like later on, if I may, to deal with this particular aspect of the position of concurrent powers in a Federation. The existence of concurrent powers in a Federation has been recognised after the Federal Constitution has been framed, in the American Constitution. And it is now admitted by all experts that the mere existence of concurrent powers is not a fact which *detracts* from the quantum of power that is conferred on the two parts of a Federation, namely, the Union and the units.

One phrase has been used here particularly which looks very attractive but which is extremely dangerous because of its connotation and, therefore, misleading. The phrase that has been used occurs here:

[Shri T. T. Krishnamachari]

"Under article 369 if Parliament fully exercises its authority, as it has already substantially done, the doctrine of 'occupied field' will preclude the States from exercising their legislative powers in respect of these matters."

The doctrine of 'occupied field' in relation to concurrent powers, the extent of 'occupation' has to be read with a lot of caution. The phrase looks very attractive and might hit the headlines. Some paper might say that so-and-so has dilated on the theory of 'occupied field'. But I will warn hon. Members that the question of 'occupation' is purely relative, as everything is relative here. In any Constitution when you discuss the powers of the Union and the units, the position is really relative, and the 'occupied field' does not completely shut out the initiative of the States.

I also indicated here, when I spoke on the last occasion, about the existence of the proviso to sub-clause (1) of article 73 which definitely demarcates the question of executive responsibility. And the fact has also to be borne in mind that in the administration of the powers vested in the Union under article 369 the blurring of responsibility has been as little as possible; the encroachment into the State field has been almost negligible. I have had no complaint which I have seen on record of there being any undue exercise of the Union's authority in the State field. I therefore beg of hon. Members not to be lured by the attractive phrase used and put within inverted commas. We will hear a little more about it when the legal experts start speaking.

Shri A. M. Thomas (Ernakulam): Not a little more; much more!

Shri T. T. Krishnamachari: Again, it is purely relative. What is little to me might be much to my hon. friend and *vice versa*.

The situation which confronted the Constituent Assembly when framing the Constitution was not basically different from what it is now. I beg to join issue with the hon. Members who have written the minute of dissent and have envisaged a situation at that time which is not basically different from what it is today. I thought I had made myself clear when I spoke initially that so far as the devising of article 369 was concerned, it was more or less an extension of the powers that were conferred on the Central Government in India by the amendment of the Constitution in 1946, and the items covered by article 369 were altogether the same as those that were covered by the amendment of 1946 which sought to perpetuate a war time measure. So it would be wrong for hon. Members to presume that the perpetuation of a state of affairs that existed during war time in 1946, which was copied in 1949, would not represent correctly the position that obtains in India today. If, on the other hand, we had felt at that time that the situation had to be gone into more carefully, quite a number of subjects mentioned in article 369 would not have found a place there, because we could have provided for the Central Government taking powers under item 52 of List I of Schedule VII. If hon. Members had said the position today is different from what it was in 1949 in that, as somebody mentioned, the food situation was comparatively satisfactory, perhaps they might be carrying with them an element of truth. Unfortunately, this is not quite a correct picture.

I think one paragraph in the minute of dissent is completely out of place. It is said "the psychological aspect of this important constitutional problem should also be taken into account". Well, I quite agree. Psychology plays a very important factor in not merely the actions of the units of a Federation and the Union but also in regard to the individuals that determine the fate of the administration in both these areas. They

say "the assumption of such wide powers by the Centre"—I am afraid my hon. friends have been allowing their imagination to carry them away—"the assumption of such wide powers by the Centre would make local and regional enterprise which is so essential for an even development of industries in different States, to be paralysed by a concentration of power at the Centre." I cannot understand. The industries covered are the industries which are already under the Union control, namely, the jute industry, the cotton industry, the *vanaspati* industry, the sugar industry. And therefore the area that is left to the States in respect of the industries covered is practically nothing. But, to say that this amendment is going to ruin the industrial initiative of the States, is, I think, pitching the imagination rather high.

A word has been said about the Commodity Controls Committee. I must tell hon. Members that, after all, when you proceed to recommend to an august body like Parliament a change in the Constitution, an enquiry has to precede it. I never claimed that the Commodity Controls Committee was composed of high-powered people. But, I must submit that it was composed of people who knew, who have no political bias.

Shri Asoka Mehta (Bhandara): Why was there no representative from the State Governments?

Shri T. T. Krishnamachari: The Commodity Controls Committee was not intended to provide a basis for the amendment of the Constitution. It was intended..... (*laughter by Shri Asoka Mehta*). There is no point in laughing. The truth has got to be told even if it evokes laughter in my hon. friend. He has a debating advantage over me; I do not mind it. I must admit the truth. The truth was that it was intended for the purpose of streamlining controls. There were various regulations in the States regulations in the Centre, conflicting oftentimes, which led to decisions which were difficult. The idea was to find out what were the regulations in the States, what were the regulations in the Centre, to examine the whole thing and make a report.

Shri Asoka Mehta: It was not deemed necessary to find out the States' point of view in coming to a conclusion.

Shri T. T. Krishnamachari: My hon. friend would please forgive me if I ask him to read the report. The State Governments' point of view was very well represented, because the State Governments were consulted. The Planning Commission was consulted. Interested parties were consulted. It does not necessarily mean that in an enquiry of this nature, the mere fact that the State Governments' representative is there is a matter which lends weight to the point of view. In fact, we have so many States and if we had called 27 representatives, the Committee would have been unwieldy. The position was, the States' point of view was taken into account. I am not quoting the Commodity Controls Committee's report as the law of the Medes and Persians. I am merely submitting to the powerful wisdom of hon. Members of the House to make a decision. I said that these are the facts prepared by the Commodity Controls Committee for your consideration. I think my hon. friends who submitted this minute of dissent were wrong. If they wanted a stick to beat the Government with, they are at liberty to use anything. I do not complain. After all, once I come forward with a Bill of this nature, my devoted head is always available for anybody to use any club. I do not think it is at all necessary to drag in this Commodity Controls Committee's report which was really factual. The facts that were elicited by the members of the Committee were to be placed before the House. You may accept them, you may reject them, you may say, the Committee was not high-powered, you

[Shri T. T. Krishnamachari]

may say that these people were ignoramuses. You may say that reliance was placed on that report. Some reliance has to be placed. If I place reliance on the printed minute of the seven hon. Members who have submitted this dissenting report, I have got to place some reliance on the facts submitted by the Committee. Anyway, that is merely drawing a red herring. I humbly suggest to the House not to take serious account of the criticisms levelled against the Commodity Controls Committee's report. I would submit, even at the risk of repeating, patting myself on my back, that the factual findings of the Commodity Controls Committee are highly valuable.

Pandit Thakur Das Bhargava (Gurgaon): They have not been criticised here. It is only stated that the States' representative was not there. The arguments advanced by us and them have not been controverted.

Shri T. T. Krishnamachari: That is for my hon. friend when he speaks. I shall not exhaust the lines on which the various speeches should proceed. In all conscience, here, the bones that we have to share amongst 400 Members is a small one, and I think it is rather difficult to get our teeth at it—the Bill is an innocuous one and a tame measure—and one need not work oneself up to a pitch of enthusiasm which is not merely unreal but which is completely illusory. I commend the Bill.

Shri K. K. Basu (Diamond Harbour): It is not innocuous.

Mr. Chairman: Motion moved:

> "That the Bill further to amend the Constitution of India, as reported by the Joint Committee, be taken into consideration."

Shri Asoka Mehta: I would like to congratulate the seven Members of the Joint Select Committee for the brilliant and lucid minute of dissent that they have given us. I would like to underscore my agreement with the seven weighty arguments, that the minute of dissent has placed before us and I would like to put forward a few additional or supplementary arguments. I would like to point out that all Parties other than the Congress Party are today opposed to this amendment.

Pandit K. C. Sharma (Meerut Distt.—South): What is their total number?

Shri Gadgil (Poona Central): What is the strength of the argument?

Shri Asoka Mehta: As far as the Congress Party is concerned, it is itself divided. The division of the Congress Party is clear from the fact that a large number of States or Governments which are in the hands of the Congress Party are opposed to this amendment. As regards the attitude of the States, what do we find? The biggest province in India, the U.P., has expressed no opinion. It is not listed here. Four States are opposed: Assam, Bihar, Bombay and Travancore-Cochin. No replies have been received from Madhya Pradesh, Mysore and Madras. Andhra has it under consideration. Agreement has been expressed by Madhya Bharat, Orissa, P.E.P.S.U., Saurashtra and West Bengal. These States put together do not have a population of even one-fourth of the total population of this country. Some of them are small; some of them, I may be permitted to say, are mostly client States of the Central Government. May I invite the attention of the hon. Minister who moved this amendment sometime back, that in the course of his observations, he had said:

> "To sum up the reactions of the States....."

Shri A. M. Thomas: May I point out to the hon. Member that the Travancore-Cochin Government on a previous occasion had accepted the

recommendations of the Commodity Controls Committee that the Centre may have the powers of control over essential commodities?

Shri Asoka Mehta: May I also point out that the present Travancore-Cochin Government which is the only Government which is not controlled by the Congress Party has said:

> "Regretted inability to agree to the proposals.....

An hon. Member: You have the controlling interest. (*Interruption.*)

Shri Asoka Mehta: "Regretted inability to agree to the proposals adding as the State Government would certainly be expected to undertake any legislation to implement the policy of the Centre in the general interest, a transfer of the power to the Centre was not necessary."

You said that Mysore had shown agreement. The Travancore-Cochin Government had also shown agreement. We find that Mysore has so far expressed no opinion on this amendment. Travancore-Cochin has definitely opposed the amendment.

May I also point out that this Constitution was drafted under serious economic vicissitudes? The wholesale price index had jumped from 302 to 390. There was a net draw on our foreign exchange to the extent of Rs. 227 crores. While the Constitution was being drafted, the founding fathers had before them the experience of control, de-control and re-control. In the light of these experiences, the founding fathers thought it proper to frame a Constitution as it has been framed, providing only transitional and temporary powers. They are sought to be made permanent today. It has been argued that unless these powers are taken, it will not be possible for us to look after the organisation of production and growth of raw cotton and the rest of it. What do we find? I believe that the Government had no such powers so far as raw jute was concerned. May I invite the attention of the Government to the growth of production of the raw jute in this country, between 1947-48 and 1952-53 on the one hand and the increase in the production of raw cotton, on the other during the same years? What do we find? In jute which was not controlled from the top in the sense in which the hon. mover of the Bill wants to control it today, the increase was to the extent of 300 per cent. while cotton production that was completely controlled from the top increased only 150 per cent. Let it not be said that without control it is not possible to bring about development and expansion. It has been argued that in all these commodities that are listed in this amendment, there is the danger either of over-all or lone shortages. If there is over-all shortage, that is a special situation for which the necessary provisions have been made in the Constitution. If there is a lone shortage in any particular commodity, this very Commodity Controls Committee has pointed out what needs to be done. On pages 58-59, the Committee has pointed out:

> "It would, therefore, be advantageous to transform gradually the present 'food administration' into a 'buffer stock administration' wherever feasible so that in the course of time the latter may become a very useful instrument for stabilising the price level in the country protecting both the consumer and the producer against undue fluctuations in prices."

What is stated, what is suggested is the creation of a buffer stock administration, and I do not understand why in creating a buffer stock administration, these powers need be taken away from the States.

The authors of the minutes of dissent have invited our attention to the progressive pulverisation of States' power, and I believe they have done a signal service by drawing our attention to it. Control of these

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matters will not be possible unless and until it is extended also to control over crop planning and cultivation. May I invite the attention of the hon. Mover to the report of the Uttar Pradesh Controls Inquiry Committee. In page 4 as an illustration the case of peas is mentioned. They say:

> "The result is that the area under cultivation of peas has been progressively increasing during the last five years and in 1950-51 it was 21,00,000 acres as compared to 16,00,000 acres five years ago. Pulses are also freely exported to other States. The overall availability of foodgrains is considerably reduced so far as the consumer in the U.P. is concerned. The export last year of peas exceeded 1,00,000 tons."

Therefore, Sir, once you begin to control the production of foodgrains, you will inevitably have to control crop planning and there will be thus an expanding encroachment on the rights of the States. There will be a progressive erosion of the State powers. Not only is it a question of progressive erosion of State powers, but a much more vital issue is involved in this. There is the danger, there is the possibility of sidestepping of democratic processes. The Government must learn and teach the art of democratic adjustments.

May I, in this connection, invite your attention to a memorable statement by an outstanding authority on democratisation of administration. I refer to Mr. David Lilienthal.

He says:

> "This matter of making a choice available, which is the duty of leadership, seems to me critically important. There are two ways of going about many of these matters. There, for example, is a steep slope which has been denuded of trees by the farmer. He has to make a living. He needs this steep slope to grow the things that will keep his family alive, and so he cuts the trees down and plants his corn, and the soil is washed off in a few years, and the nation has been robbed of just that much of its capital assets. ....Now one way of going about it is to say, "We will pass a law that any farmer who cuts down the trees and cultivates a slope steeper than a certain grade is incapable of farming. He is injuring the community and the nation, and by this law we will take his land away from him and turn it back into forest or meadow." That is one way.... Then there is the other method of giving the farmer a chance to make a choice; recognizing that the farmer does not cut down those trees because he enjoys cutting down trees or because he likes to see the soil washed off and destroyed but because he has a problem of feeding his family and making a living. Give him a choice—a free choice—by making it possible for him to use his land in such a way that he will not only be enabled to support his family but at the same time protect that soil against depredation. This is only one illustration of many of this conviction I have that a man must be given a free choice rather than compelling his choice or having supermen make the choice for him."

We, Sir, find here that supermen want to make the choice not only as far individuals are concerned, but as far as States are concerned. Why can we not give opportunity to the States? Why can we not bring the representatives of the States together round a table and see that an agreed formula is hammered out, as the Government of Travancore-Cochin has suggested? You must give them an opportunity. You must try to carry conviction to them. You must try to carry the representatives of

the States with you. You may be able, in the plenitude of your power, to brush aside the States. You may occupy a certain territory of power because of the special rights that you are going to get once this amendment is accepted, but what will be the result? Unless and until you can satisfy the people of the States concerned that justice is being done to them, will you be able to carry through whatever reforms or whatever administrative changes you want to carry through. Can you afford to bypass the people? After all, if you think that the States are being recalcitrant, please remember that the recalcitrance of the States will always be reflected in the recalcitrance of the people, and you cannot brush aside the recalcitrance of the people. You must learn, you must educate your people to discover ways and means of adjustment. That is the very essence, that is the very art of democracy.

May I, in this connection point out that we may ignore the moral dimension of the grass roots approach only at our peril? It is an obligation in connection with resources development that the local governmental institutions be strengthened rather than weakened, that they be supplemented rather than supplanted. I would like to emphasize that the resources of a region include its institutions, particularly its governmental agencies. It has been argued that after all the concurrent powers are sought only as contingent powers. That is not the intention of the hon. Minister. He wants to use these powers. Last time while moving this amendment, he made it very clear that he wants to use these powers. These are not merely contingent powers. They may be called concurrent powers, but they are going to be used and used in the near future. You may try to bypass, you may try to side-step democratic forces in this respect, but you will not be able to run away from them. There will be differences of opinion between Ministries themselves. As we know, there has been differences of opinion recently. How are you going to resolve them? Inside a Ministry, inside a department, there might be acute differences of opinion. How are they to be resolved? I would not, I do not propose to refer to any incident or any experience in our country, but may I cite as an example the experience from a foreign country. It is pointed out:

> "There arose consequently a conflict between two agricultural groups, and indeed between two groups within the U.S. Department of Agriculture. To be specific, this conflict between the Extension Service, the Agricultural Adjustments Administration and the Farm Bureau on the one side, and the Farm Security Administration and the farmers on the other."

I think this kind of conflicts are inevitable. How are they to be resolved? By taking over more powers, by pushing aside the people with whom adjustments are to be sought, or by learning to sit with them, by making them realise wherever the larger issues of the country are involved? They must learn to arrive at agreements and adjustments. That is the approach, the grass roots approach to democracy. If that approach is given up, the result will be that the arteries of adjustments will harden, and all short-cut adjustments will mean that power will get increasingly concentrated into the hands of the few people at the top.

May I end my observations by quoting the wise words of one of the foremost seers of democracy? I refer to the famous French writer, De Tocqueville:

> "Although a centralised administration can bring together at a given moment, or a given point, all the disposable resources of a people, it injures the renewel

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of those resources. It may ensure a victory in the hour of strife, but it gradually relaxes the sinews of strength. It may help admirably the transient greatness of a man, but not the durable prosperity of a nation."

May I therefore appeal to the Mover of the Amendment not to get interested, not to get intoxicated by the thought of the greatness of a man, whoever the man may be, but to think in terms of the durable prosperity of the nation? By this amendment you are going to weaken the sinews of strength of our nation. I hope and trust that will not be done.

Shri K. K. Basu: This Constitution Amendment Bill which has been introduced by the Commerce Minister has been passed off as a very innocuous piece of legislation. It has become more or less the habit with the Ministers that whenever any reactionary legislation is brought forward, it is always tried to be pushed in as an innocuous piece of legislation. We will have to judge from the aspect of our constitutional democracy, whatever there may be in our country, the implications of this amendment. The hon. Minister tried to ridicule to some extent the note of dissent that has been submitted to the report of the Joint Committee, by practically all the Members of the Opposition that there were in that Committee. He has now come forward with this amending Bill, saying that it is absolutely necessary in the interests of the country. We have got to judge to what extent that test is satisfied. In justification of his claim, the hon. Minister has also referred to the report of the Commodity Controls Committee, about which my hon. friend Shri Asoka Mehta has spoken at length. When the motion for reference of this Bill to a Joint Committee was being discussed here, the hon. Minister has also tried to say that there is a section of the States, which has supported this proposition in regard to the amendment of the Constitution. But if we analyse, as Shri Asoka Mehta has done, the character of the States which are in support of this measure, which have the matter still under consideration, and which are categorically opposed to this measure, we shall find that the hon. Minister's claim that the States in general are inclined to accept this amendment does not hold any water.

We have to judge whether in the present context of things, so soon after the Constitution has been enacted, we should try to amend certain provisions which the Constitution-makers have after due deliberation, deliberately put in the Constitution. For instance, there is article 369, which contains certain provisions in respect of certain commodities, which fall, according to normal understanding and normal connotation, under the purview of the activities of States. In respect of these commodities, powers of control have been given to the Centre under article 369, only for a specific period of five years. Even at that point of time, when, as my learned friend who spoke before me has pointed out, the situation in the country was abnormal, immediately after the war, and when after the partition, there was trouble in a large part of our territory, and when the food situation was very bad, and the position was bad regarding many other agricultural commodities also, even in those circumstances, the Constitution-makers, who practically belonged to the party in power today, deliberately and after long discussion put this limitation of five years. If they had thought that in the interests of the nation, these powers might be kept in the Centre permanently, they would have put in a provision to that effect then and there, and these powers would have been given to the Centre for as long a time as they might have chosen. But that has not been done.

The other day, one hon. Member was trying to suggest that no planning was there at that time. If you see the basic principle behind the Constitution, if you read the Fundamental

Rights Chapter, or the Chapter on Directive Principles, you will find that it is clear that our Constitution makers had clearly in mind the idea that we should not have *laizzez faire* in our country, but that there should be some sort of control or some sort of limitation on private rights. Therefore, the Constitution-makers could have easily emboded a provision in the Constitution, when it was drafted, to the effect that these powers will be with the Centre for all time to come. But they have deliberately chosen to give this power only for a limited period of five years, because they thought that within a period of five years, the situation will come to normal. We have been told by our Food Minister that the food situation has improved. In some States, in some places, it might have improved to some extent. Again, so far as the cotton situation is concerned, it was stated in regard to the limited stocks that we had in a particular area, that there was nothing to worry about. Then, I come to jute. You know that I come from a State which is practically the largest producer of jute, and there this problem is very acute. But even then, I would ask what justification is there for Government to amend the Constitution in this manner. When Government themselves say that there has been improvement in the food situation, and there is nothing to be worried about so far as the cotton situation is concerned, what justification is there for Government to try to have this power for all time? If you say, well, in the States also, we have our own Governments, instead of the States having it, we are going to have the power, why should you feel worried, after all, you have your own Congress Governments in different forms, or different colours in different parts of the country, if you say like that, I would say that it is a vague principle, because we have adopted a Constitution after much deliberation, and distributed the legislative and executive powers between the States and the Centre in a particular manner. Why do you want to amend it so soon after the coming into force of the constitution? In my opinion, the hon. Minister has not made out any case by which he can justify this action of his.

We know that under article 249 of the Constitution it is provided that in the interests of the nation, for a period of one year, the powers which normally fall within the purview of the State may be given over to the Centre, provided that at the end of that one year, if the problem still continues, these powers may be continued in the Centre, if a resolution to that effect is passed by the Rajya Sabha. Even here, a distinction is sought to be made between the Lok Sabha and the Rajya Sabha, and the provision has been put in a peculiarly limited way. Only if the Rajya Sabha passes a resolution to that effect, can these powers be exercised by the Centre. In the Constitution, the Rajya Sabha is deemed to be representative of the States and they should pass a resolution that in the interests of the nation, these powers should be allowed to be exercised by the Centre, and then only the Centre can have these powers. The Constitution-makers have deliberately said that this Resolution should not be passed by the Lok Sabha, but that it should be left to the Rajya Sabha, which is constituted of the representatives of the States. I would urge upon the House to understand this basic distinction which the Constitution-makers had kept in view, because they thought that it was just possible that in the Lok Sabha, two or three States may combine and have a majority by which they can pass this resolution. But the constitution of the Rajya Sabha is such that the domination of a particular State can be flouted, because of its peculiar composition. Only if the Rajya Sabha passes a resolution, can certain rights of the States be abrogated in favour of the Centre, in the interests of the nation. Then and then alone is the Centre competent to pass a legislation. This distinction was deliberately made by

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the Constitution-makers. Otherwise they could have very well said that the Lok Sabha could pass such a resolution, and under entry 52 in List I, or entry 33 in List III Parliament may by a resolution say that in the interests of the nation, the Centre should pass a legislation, so far as a particular industry is concerned. But that they have not done. Under article 249, they have made a deliberate distinction and restricted the power to pass a resolution only to the Rajya Sabha. We must understand clearly the principles which actuated the Constitution-makers to make this distinction. The principles are that they wanted to protect the rights of the States.

I fully agree, as some hon. Member said, that our Constitution is a unitary Constitution, and therefore, the residuary powers should be vested in the Centre. That may be so. Even so, because of the character of our national movement, and because of the lines along which our national movement has developed, we tried to give certain powers to the Centre and certain powers to the States, and all along, it has been the attempt of the Constitution-makers to guard and protect the interests of the States, in whatever sphere it might be. That being so, I cannot understand how so soon after the passing of this Constitution, Government can come forward with a legislation which practically does away with the powers of the State. If they want to do so, let them come forward, and do away with the whole Constitution as it stands; let us have one unitary Constitution with powers in the Centre, and transfer all the States' powers into municipal powers. Let them do it by all means. Let the hon. Minister be frank and honest enough to come forward and say, we have had four or five years of experience of this Constitution, we have experienced a lot of difficulties, we should not have a federal Constitution as we have today, but we must have a unitary Constitution with powers in the Centre, and let the States' powers be turned into municipal powers. I would submit that when we are making an attempt to grow a particular kind of democracy in our country, it should be the effort of every Member, irrespective of party affiliation, to see that we do not allow such precedents whereby it may be said in the future that we have made an attempt to do away with the basic principles which underline the framework of our Constitution.

Some hon. Members said that they were not convinced of the necessity of this legislation, and also of the *bona fides* of Government to some extent. I am also not convinced with the *bona fides* of Government Powers there were in the hands of Government under a certain article, and they could have done many things. But what did they do? Two years back, when Dr. P. S. Deshmukh was not in the Government but was an ordinary Member, there were questions put regarding the floor and ceiling prices of cotton. That was a time when Government could have given some protection to the cotton growers. But did they come forward to give protection? Did Government come forward then saying that these powers should be taken in the interests of the people, or in the interests of the nation? Did Government come forward to save them at that time?

Again, only the other day, there was a discussion about the crisis in the mica industry. Government had power under item 52 in List I. But did they to save the ordinary workers, the ordinary people whose fate was also linked up with the fate of the mica-industry. Government did not do anything at that time, and you know very well what happened in that regard.

Again, in regard to jute, what is the position? If the Constitution is amended, will Government care to come forward to save the ordinary workers, and the growers of jute? Have they as yet done something to

save the jute growers who are suffering in the present context? The hon. Minister himself knows that while jute is sold in the Calcutta market at the rate of Rs. 26 or so the growers get only Rs. 14 or 15. So, here also, you know what the fate of the jute growers is. Are Government willing and prepared to come forward, whether power is there or not, to give protection to these people who are suffering? They will only want to get the power in the interests of big business, because, as I have said earlier, as yet I am doubtful about the *bona fides* of Government. Government have behaved in such a shameless manner in the case of the Bank Award, with a view to serve the interests of big business. We are not going to accept that Government are doing all this for the sake of the common man.

We have seen also what happened in the case of the sugar industry. I think year before last, in the November session, the hon. Minister of Food and Agriculture came forward with a Bill to levy a temporary cess or sugar, and that cess was sought to be justified by saying, will, after two months, new sugar will be coming into the market, and we will get sugar cheap, to adjust the price, we are having this temporary cess. But what did we see? Two months after, the sugar price did not go down. There was a crisis, and it went on going up above the means of the common man. Then, our Minister came forward saying, what can I do, our people are consuming more sugar, they have begun to take more sugar, and therefore the prices have gone up. The Congress Party has been in power for the last so many years but they have not been able to solve the sugar problem so far. I am told that these sugar magnates have made a contribution to the election fund of the Congress in the last general elections.

3 P.M.

Sir, this is the position. I am not going to accept whatever facts the Ministers place before us. They say, we do this in the interests of the common man. My hon. friend has said that fertilisers have not been supplied. It has been boasted that we have been able to solve the rice problem in the country. The Central Government has, under the existing orders, worked and behaved in a fashion which does not justify it to be entrusted with the power to abrogate the power vested in the States. Therefore, Sir, I urge upon my hon. Members, irrespective of party affiliations, to consider carefully what steps they are going to take. The Constituent Assembly passed a resolution regarding a particular article and then deliberately reserved the right of the Centre regarding a certain matter for five years. They have also said that the States power may be used by the Centre if the Upper House passes a resolution and that by passing a resolution to power may continue. That means that our Constitution-framers, at a time when we were passing through a crisis as a result of the war and the partition of the Country, have deliberately put a spoke to the power of the Centre. As my hon. friend has said, if such power is given, the time may come when the Centre will feel like taking over most of the other powers.

I am now going to deal with the Commodity Controls Committees's Report. What I feel is that ever this Commodity Controls Committee might have made some recommendation because they had a particular point of view regarding certain articles. Take the case of jute. We know from our experience, as I come from a State which is the main jute growing area, that the interests of jute growers are being jeopardised under the present low market price. They do not get the economic price. They even do not get the price as available in the Calcutta market. When in the Calcutta market the price of jute is Rs. 26, the jute growers hardly get Rs. 15 to Rs. 16. After the partition when we had very little of just, the propaganda

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was made by this Government for increasing the jute acreage so that jute industry in our country, which is largely owned by British and other big businessmen, may survive the crisis, but subsequent to that when the prices of jute came down to such a low figure, the Government did not come forward to save the growers by price protection or similar policies so that the growers may get an economic price for their produce. As Mr. Asoka Mehta has said, the production has gone up by 300 per cent. I do not know what will happen two years hence. Therefore, I feel that the Government, if they are so sincere, should help the growers and the common men who are connected with this particular industrial trade. They have enough powers with them and they could have saved the growers from this crisis in the prices of the jute which growers get under the present circumstances. They can arrange for the supply of cheap credit and machinery for marketing may be brought in, so that middle-man's profit, as it is rampant today in the jute trade, may be done away with and the cultivators assured of fair prices. They can arrange the free supply of fertilisers and many other things. There are many methods of controlling and influencing the price of market under the existing system which the Centre might have utilised if they had so chosen in the interests of the cultivators and the trade. But here it seems the Centre is not inclined to act in the interests of the common man and they are more inclined to work for the benefit of the big business. Even under the proposed legislation, unless the existing powers of the States are completely abrogated in favour of the Centre, the Centre might say that it cannot make its policy workable as it abridges the provisions under the proviso to article 73. Therefore, I personally feel that the existing order has adequate provision for working the policies of the Centre if they so choose, which the Centre wants to exercise under the proposed legislation. Some hon. Members had said the other day that under the Plan control was necessary to make the basic idea of it a success. Under the Plan we have fixed the target of 60 per cent. increase so far as jute is concerned. We have also fixed 40 per cent. for the cotton so far as the production of these goods is concerned.

What we do should benefit the growers and the community at large. If the Government say that they want to control jute—the production of jute fibre—because we know that our jute millowners are making enormous profits, I have nothing to quarrel about it. But let them be frank and sincere about it. Therefore, personally, from the way the Government have been behaving so long, I do not accept their *bona fides*. I would only urge upon them to consider this carefully. Within four years of the passing of the Constitution, you want to amend it in such a way that it completely abrogates a very vital and important power of the States. I would ask my hon. friends to be very careful in this matter. It is our duty to guard against the taking away by the Centre of whatever democratic rights of control vest in the States in terms of the Constitution, which the framers of the Constitution, after due deliberation, had vested in them. These are now being sought to be taken away by this Act. We should not support the passing of this legislation which leaves the States without these powers. If you want to do anything in the interest of the nation, in the interest of the community at large, you have enough machinery with you and you can use your powers, but you should not deprive the States of the powers vested in them by this Act.

Shri U. M. Trivedi (Chittor): On a point of order. Are those who took part in this debate when the motion was moved the only persons who are on the list to speak?

Shri K. K. Basu: I did not take part.

Shri U. M. Trivedi: I am not mentioning you.

Mr. Chairman: There is no hard and fast rule.

Shri U. M. Trivedi: We must also get an opportunity when those who have already spoken have expressed their views.

Mr. Chairman: I have no record with me now of those who spoke when this was originally moved.

Shri U. M. Trivedi: I do not remember who spoke at that time.

Shri V. B. Gandhi (Bombay City—North): May I speak?

Mr. Chairman: Mr. Gadgil.

Shri Gadgil: I am very sorry to observe that the whole question has been approached from a somewhat wrong point of view. In fact, my friend, Mr. Asoka Mehta, has literally drawn a red-herring across the whole thing. The point is not that we are doing something which is not justified by the wisdom inherent in that decision itself and that we are going to carry it by the force of sheer majority. I have noted what he has said about the fact that all the parties other than the Congress have joined in the minute of dissent, and he hinted that in spite of that fact, the measure would be carried. I would to assure him that my approach to this is not because I belong to the majority party, of which I am certainly proud, but I am convinced in my mind that a Bill of this character is absolutely necessary and it has been introduced none too soon.

Now, reference was made about the fathers of this Constitution.

Dr. Krishnaswami (Kancheepuram): Founding fathers. (*Interruption*).

Shri Gadgil: I plead guilty to the charge that I am one of them. I say that the background, not only so far as these provisions are concerned, but the general background of our Constitution, was this. In the beginning, in the month of December 1946, when there was no partition the entire political trend, as was expressed in the debate and discussions on the various main principles on which the Constitution was to be based was, that more power and greater and fuller autonomy should be reserved for the provinces. But the entire political scene changed after August 15, 1947, and in the light of the circumstances then prevailing, the atmosphere was not that there should be no autonomy to the provinces and no provision of adequate powers for the constituent States, but emphasis was placed more on the powers and functions of the Centre. It was obvious in those circumstances that certain powers with respect to essential commodities must be reserved for the Centre, and at that time, I think the decision so far as article 369 was concerned, was arrived at not on a deeper consideration of all the issues involved, but on pragmatic considerations. Now, the fact that the situation then justified this provision and that the same situation continues today is admitted by the signatories to the Minute of Dissent.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

Here is what they say:

> "We are fully alive to the necessity of clothing Parliament with the necessary authority to keep certain matters under Union control in view of the needs of planning. The situation which confronted the Constituent Assembly when framing the Constitution was not basically different from what it is today. The framers of the Constitution were also fully alive to the needs of planning and the maintenance of control by the Centre over specified matters".

Those who are now running the Government are equally fully conscious of the present position. After all, what do those people who are against the provisions of this Bill say in the

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last sentence of their minute of dissent?

> "We suggest that the period specified in article 369, if its extension be considered essential, may be altered so as to make the total period of Parliament's competence extend up to ten years".

Which means that they concede that the provision of such a power is absolutely necessary, the situation is not basically different and that they are agreeable, in spite of all they wish to say about democracy, decentralisation and powers and functions of the constituent States, that for a period of another five years the present powers may be continued. Boiled down, the difference seems to be this—whether the power should be for five years or whether the power should be put permanently on the statute-book as belonging to the Centre. Now, my humble view is this. The Constitution must be interpreted in the context of a living and progressive community. It is not a dead letter. If in 1950, the situation basically, according to these gentlemen, was as it is today, then there is a greater reason for us to think much more radically and basically and instead of adopting a period of five years and again renewing it, it is much better here and now, if we are convinced that certain powers must be reserved to the Centre, that we do it permanently. And let me add that this power is to be exercised by the Centre with the help and co-operation of the constituent States. It is not that the power has been exclusively claimed by the Centre or that the Centre, if at all it wishes, can exercise it in defiance of the attitude of the States. That is not possible. Even under article 369 of the Constitution, when this Bill is enacted, it has to be ratified by the constituent States. Now, the constituent States have been consulted. My friend, Mr. Asoka Mehta said that only four States had agreed, and he worked out the population of those four States. Let us take into consideration how many have agreed, how many have not agreed and how many are still considering the matter. The position is that some are still considering, some have agreed and some have not. In the light of this, it is very difficult to say that the majority is for or against. But whatever be their views, the test is not what the States say, but what is desirable and what is absolutely necessary. And what are the commodities in respect of which these powers are sought? (*Interruptions*). My friend, Mr. Asoka Mehta, is probably aware that when rationing was there and articles or commodities were being sold at a particular price in limited quantities in the Bombay State, at a distance of ten miles, from Bhusaval in the State of Madhya Pradesh, there was no control and no rationing—or at least there was more liberal rationing. The whole picture was this. While people in the Punjab and U.P. were getting not only as much as they wanted, but much more, people in the States of Bombay and down south were living with just enough to keep their body and soul together. We were told that we were citizens of this country, but the discrimination that we actually experienced in our life was so great that some of us wondered whether we were at all citizens of this country, when we found on one side of the country people living in abundance and on the other side, people living in scarcity, always in danger of famine. There was no integrated food policy so far as the whole country was concerned. This fact was realised in 1949 and 1950 and additional powers were taken by the Central Government. It was after the taking of additional powers by the Central Government that some relief was available to the various States. The position in this country is that we have simultaneously abundance on the one side and scarcity on the other with floods and famines. Now, this is not a small country, it is a big Continent consisting of 27 constituent States. We must have a policy which will be rational, which will be doing equal justice as bet-

ween all the constituent States. Now, if it is agreed that there must be control so far as Defence matters are concerned, if it is agreed that there must be control by the Centre in matters of Communications and such other important services, I want to ask the Members of this House, in all fairness is it not equally necessary that for the proper and adequate provision of the primary necessities to all the citizens of this country, the control of these should be in the hands of the Centre?

You are talking about planned economy. I cannot conceive of a planned economy functioning efficiently unless it works with the mechanism of control and co-ordination. This power is absolutely necessary because you want to live; you want to feed your population. If you let go this control which is bound to expire a few months hence, what will be the position? Whenever appeals were made to Madhya Pradesh Government and Madhya Bharat Government, they were not of any use; no avail at all. Therefore, in the light of experience which we have, particularly in the Bombay State, I for one would say that it is absolutely necessary.

Shri Asoka Mehta: Bombay State has opposed this amendment.

Shri Gadgil: That is something which I do not want to say to be correct. Take the view of the Bombay people.

An Hon. Member: What is their view?

Shri Gadgil: I represent them and I tell you, when control was removed, the only State that opposed it as a State and as a people—people in Poona, people in Maharashtra, people in Bombay—was Bombay. Now, Bombay is still a deficit State inspite of the Planning Commission's long-term and short-term schemes which are still on paper. I do hope that some of them will be implemented, but the broad fact remains that Bombay State is a deficit State in the matter of food.

Now, if we do not renew these powers, what will happen? We know what happened in the past. We do not want to have that costly experiment once more.

Take also the case of cotton. Bombay Government is very much against this because about 180 mills out of 400 in this country are situated in Bombay. I know how their minds are working. But, inspite of the fact that there were 180 mills in the State of Bombay, what was the position with respect to supply of cloth in the year 1947 and in 1948? We were not getting enough cloth and the cloth we got was at exhorbitant prices. In 1948 about the month of January or February when cloth was de-controlled, between that time and the time when control was reimposed, within those three months, according to the figures given by Shri K. K. Desai, the present Labour Minister, the millowners made a profit of Rs. 200 crores.

Shri N. C. Chatterjee (Hooghly): What were you doing?

Shri Gadgil: Just consider what will happen if there is complete de-control. I want to appeal to the socialist in Shri Asoka Mehta; I want to appeal to you, to consider what will happen. Cloth will be sold at higher price and the supply of primary necessities will not be there. I am, therefore, telling him with the experience of the past that this is absolutely necessary. If you are agreed that there must be planned economy, then the Central direction must be there. I am not telling the Government to take over the power and completely administer it. As I said a few minutes ago, this power can only be exercised with the co-operation and proper co-ordination with the activities of the constituent States. The powers are not sought to be the exclusive possession of the Centre. These powers will be shared by the Central Government. At the same time, in as much as this item

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is being brought into the concurrent list, the constituent State Legislatures have a right to pass similar Acts but they must not be repugnant to the Central Act. The whole thing is: do you want this democracy to be decentralised or disintegrated?

Shri M. S. Gurupadaswamy (Mysore): Decentralised.

Shri Gadgil: This will not be the result of what you propose. It will not be decentralisation because there will not be one overall, co-ordinated central policy or direction. What will happen will be, everybody will be playing his own hand as it happened in the matter of supply of food only five years ago. It is, therefore, necessary; because so far as textile industry is concerned it is an important thing. The other day I called it as having as much strategic importance as of manufacturing arms in this country, because with the increase in production in that industry we can have greater export market and the money that we may earn thereby may be used for our developmental purposes. In fact, I will go a step further as I did the other day. If there is any industry which should be nationalised forthwith, it is this industry, but some time must elapse before this thing can happen. The point is, there is nothing against democracy in this. There is nothing which should offend the sensibilities of the constituent States. The constituent States have got their power. This power is not sought to be deprived, but only shared with their co-operation and in a manner which will be not only beneficial to a State here and there, but which will be beneficial to the whole population as such. The responsibility of the constituent States is primarily for the well-being of the people of that State, but the responsibility of the Central Government cannot be fragmented in this manner. If it is to be exercised in a proper and effective way, I do submit, Sir, that these powers which are sought to be put permanently on the statute-book are absolutely necessary.

Shri Raghuramaiah (Tenali): Sir, when I was listening to my hon. friend Shri Asoka Mehta, I was wondering whether it was a speech on the decline and fall of the Constitution or anything very relevant to the present Bill. I might have understood a speech of that nature if we were enacting a Bill which was wholly in violation of the Constitution. Out of experience of things in the past, on the recommendation of the Commodity Controls Committee and after five years working of the Constitution, the Government has come forward with the Bill merely to make provision for certain matters in respect of which it is very clear in actual practice that there must be a certain amount of central control.

Shri Asoka Mehta has referred to the necessity of consulting the States when we are trying to amend the Constitution. He has suggested that there should be a conference of all the States and that we should not proceed ahead in a matter like this without consulting and obtaining the concurrence of all the States. I am afraid he is trying to read something into the Constitution which is not there. Under article 368, power is given to Parliament to amend the Constitution in matters where the Parliament deems it necessary to do so. So far as the States are concerned, all that the article requires is that the amendment shall be ratified by the Legislatures of not less than one half of the States specified in parts A and B of the Schedule etc. It does not require that every State must agree to the amendment which is proposed. That would be an imposition which would be placing in our way a very great difficulty in amending the Constitution at any time. I suppose, as soon as this Bill is passed by this Parliament it will naturally go to the Legislatures of the States and their requisite consent will be forthcoming

[MR. DEPUTY-SPEAKER *in the Chair*]

It is one thing to say that we should not amend the Constitution lightly. It is one thing to say that we should not amend the Constitution unless there are extraordinary reasons compelling us to do so. But, I would say with all respect, it is quite another thing to say that we should not amend the Constitution at all as if the Constitution is there to block our progress and not to facilitate our progress. I agree the Constitution should not be lightly amended, but in a matter like this where experience shows that it is very vital that the Centre should have power to legislate in order to co-ordinate the policies of the various States with regard to such vital commodities as food, cattle fodder etc., and also products of industries; in such matters not to amend or to feel shy to amend it is to abdicate the duty which we have under the Constitution. I would most respectfully submit that the question before this House is: not whether the Constitution can be amended, but whether it should be amended and whether there is sufficient justification for it. For that we need not go much beyond the recommendations of the Commodity Controls Committee, and I would particularly draw the attention of the House to what they say in para 41 at page 22 of their report:

> "The existing provisions of the Constitution do not permit the enactment by Parliament of a permanent comprehensive law of controls in relation to all commodities. But the need for such a law is so urgent and pressing that the Committee, after carefully considering all its *pros* and *cons*, unhesitatingly make the recommendation that the Constitution should be suitably amended to confer on Parliament the necessary legislative power."

Even in the minute of dissent to the Select Committee Report which is placed before the House, it has been agreed that there is need for having the present power with the Centre for another period of five years—in fact, they are even prepared to go up to a period of ten years.

Dr. Krishnaswami: From the date of the Constitution.

Shri Raghuramaiah: I am reading the last sentence of the minute of dissent:

> "We suggest that the period specified in Article 369, if its extension be considered essential, may be altered so as to make the total period of Parliament's competence extend up to ten years."

It makes no difference whether it is five or ten years. The question is this. Is my friend in a position to say what will be the position in India five years hence? Were the framers of the Constitution, with all their wisdom, able to say correctly five years ago that there would be no need for a continuation of the provisions of article 369 today? If with all their wisdom they could not say so, those who have sent in the note of dissent, with all their wisdom —of course I am not prepared to place it above the wisdom of the Constitution-makers—cannot any more say that this power will not be required after five years. If today circumstances have arisen to make us modify the period specified in article 369, I do not know whether any honourable member can get up and say "I have got greater power to foresee things, and I know such a situation will not arise after five years." This is all speculation in the dark. It is not possible for us to know what the position will be. We can only think in terms of the experience we had and the experience we had is sufficient to bear out the truth that in India, in these vital matters like those specified in this Bill—foodstuffs, cattle fodder, raw jute, cotton, etc.—which go to the vital requirements of the vast mass of the people and which have to be regulated and controlled in certain circumstances, it will be necessary from time to time for the Centre to step in and see that a co-ordinated policy is pursued by all the States. I would like to know if the framers of

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the Constitution would have foreseen the vast and colossal floods that have overcome this country today, that all the rivers could in one day rise in spate and that millions and millions of people would be there without food, and clothes and animals without fodder a situation which calls forth the greatest measure of Central Co-ordination and distribution. A situation like that is not easily foreseen and cannot be foreseen, and therefore, when the Members of the Opposition, who have appended their signatures to this minute of dissent, have conceded the present necessity of having Central control of certain essential Commodities, I would respectfully say that they have in effect conceded the necessity of the Centre having it for a long time to come. Is it their position that after five years we should again come with another Bill like this? Of course, it would give them another opportunity to harangue about the sacredness of the Constitution and say that it should not be amended and so on and so forth. Is it their argument or contention that we should come forward again after five years and say that we want this for another five years? Is the Constitution a matter to be so lightly dealt with? Is it not the very essence of the Constitution that, as far as human beings can conceive of it, it should be permanent? Can we say with certainty as to what is going to happen five years or ten years after and in the light of that decide the permanent structure of the Constitution? I would, therefore, most respectfully submit that the necessity for this amendment of the Constitution is practically conceded even by the Members who have written the minute of dissent. The States, of course, are there to look after themselves. I can quite understand that some of the States will raise objection. Naturally, those who produce jute would like to have more price for it and similarly those who produce cotton would like to have higher prices and the States in which jute and textile mills are operating would like to have jute and cotton at cheaper rates. I can quite conceive of a conflict between the various States, but what are we to do as Members of Parliament? What is this august House to do in such circumstances? We are here to co-ordinate; we are here not to have any State prejudice; we are here to adjudicate between the various States and see what is necessary for the good of the whole country. Viewed from that point, it does not matter if one State has not agreed to it or another State agreed to it. A distinction has been made by Mr. Asoka Mehta between the Congress and non-Congress States. I think it is wholly irrelevant. India is one and we must have the good of all the States at heart, and it is immaterial whether the States that have agreed to it are Congress or non-Congress States. I would, therefore, submit with all the force at my command that this amendment should be accepted and we should go ahead presuming that the situation which has arisen today is likely to arise time and again and the Constitution is not a matter which should be lightly amended.

Once again I would like to emphasise one point. As I said at the very beginning, it is very necessary for us to remember that the Constitution is not meant to tie us with a rope, and that it is meant to facilitate the progress of the country. While the Constitution is not a matter which should be lightly amended, we should never hesitate to amend it when experience shows that the framers of the Constitution had not sufficient material before them when they framed it. The shyness to amend the Constitution whatever be the circumstances I would submit, is not a very healthy symptom. We should not feel shy to amend the Constitution when the situation requires it. I would, therefore, strongly commend this Bill.

Dr. Krishnaswami: I listened with interest to the Minister for Commerce and Industry commending this Bill for the acceptance of the House. I was however hurt by one remark in his speech which I feel it my duty to bring to the notice of the House. He

suggested that hon. Members who had appended their minute of dissent might probably get into headlines by talking of the "occupied field" and other such matters. I do not propose to justify those who have appended this minute of dissent; their minute of dissent is before the country and it is for the country to judge whether that minute of dissent contains valid reasons or not; it is for the country to pronounce its opinion on whether this amendment to the Constitution is proper or not. There is a vast constituency outside this house which is watching our deliberations examining the steps we are taking and evaluating the wisdom of the policies followed by us. What are the issues before us? We have embarked on a constitutional amendment, an amendment which involves the permanent abrogation of the rights and powers of the constituent units of the Indian Republic. I am not now on the question whether such abrogation is justified or not, but on the simple question of the manner in which this amendment has been brought before the House. It would have been in conformity with sound constitutional practice to have given proper notice to us, Members of Parliament, before bringing in such an amendment. Since this measure affects the States, as a matter of constitutional convention, principle and practice, we ought to have had their clear and unambiguous views before us. Parliament would then have been in a position to judge the validity of the views expressed by the States, views which would have been expressed without their discretion being fettered in the least. This has not been done.

As it is, notwithstanding our opposition—and I do not think I need make any secret about it—this Bill will become law, subject to the ratification of the States. But in the present set-up I want you, Mr. Deputy-Speaker, to consider this fact. The very passing of this Bill by this Parliament will constitute a directive to the States to ratify it and the expression of independent views envisaged in article 368 will not probably materialise.

The Constitution-makers did not envisage control over Production, supply and distribution by the Centre for more than a limited period. After mature deliberation they fixed the tenure of Parliament's control over these commodities in the concurrent field at five years. Any amendment in the nature of a far-reaching and of a permanent transfer of power to the Centre must be supported by data and figures. My grievance against the Government is that they could have furnished us with a comprehensive White Paper giving out the reasons for such a far-reaching and permanent abridgement of State autonomy. It is no use suggesting we have been irresponsible. By the time I have finished my speech I venture to think that I would have given some grounds for a temporary abridgement of the State power. But I feel that these grounds have not been given even by the Minister in-charge while introducing this Bill.

We have been supplied with a report of the Commodity Controls' Committee. I do not wish to indulge in polemics about it, but it must be clearly borne in mind by those who have read it that four out of the five members of that Committee have been Secretaries of four Ministries at the Centre. (*An. hon. Member*: Deputy Secretaries). And as such, probably—we do not say definitely—probably they had a bias in favour of permanent accession of powers to the Centre, at the expense of the States.

We ought also to bear in mind that the Commodity Controls' Committee was not constituted to enquire into the scheme of distribution of powers as between the Centre and the States. Whenever any abridgement of State powers takes place, the usual injunction in the case of such committees is that they should as far as possible respect the distribution of powers and then only give proposals. But that is a different story.

As I said, I do not propose to go into the controversial aspect of this matter and suggest that they should not have

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done it. What I am more interested in is to find out what the particular reasons are for recommending such a permanent abridgement of the powers of the States.

The States, after all, have a place in our body politic. It is a point which has to be emphasized. It is a point which has to be brought to the notice of some of my friends who have been thinking of them merely as administrative agencies or units and who do not consider that they have any more important function to fulfil. I think that it is necessary to understand the reasons which led the Government to this action and I shall try to visualize the reasons to the best of my ability. The hon the Commerce Minister may correct me if I am wrong, and I wish to be interrupted if I, in the least, have misapprehended the Government. He made great play of the fact that concurrent powers were given to the Centre for a permanent period, and he suggested that I had probably made a mistake in not understanding the full implications of such transference. He quoted article 73 that executive instructions could be issued from the Centre to the States. But it had not been done. We know when it is issued.

When we talked of the "occupied field" what we had in view was that the legislative competence of the States was completely abridged. So far as this particular matter is concerned, substantially the field has been occupied by the Centre and very little is left to the States. I think no purpose is served by my arguing or others arguing that there is some space left for the States to legislate. But I should like to go to the fundamental question, because that is the question on which I have been considerably worried. And that is: what is our idea of planning, and what are the reasons for our saying that there should be a permanent abridgement of the powers of the constituent units? Let us examine some of the reasons which have led the Government to take up this particular standpoint.

I should like at the outset to point out to my hon. friends that we are living in a period of trial and error. For the past three years, we have been planning, and we have evolved some sort of system. Maybe, it is not the best, maybe it is haphazard, maybe it has defects. But there is one thing on which all Members will be agreed, those who support the Government and those who oppose the Government, that that system is not scientific at all. It cannot be in the nature of circumstances. It is experimental and on an *ad hoc* basis. Therefore, we have necessarily to understand that for all time to come that might not be the best system that might work, and this sort of transference of power to the Centre might lead to a stratification of the very system.

Let us also look at it from a slightly different angle. Today so far as the distribution of some of these commodities taken under the Industries Development Act is concerned, the priority lists for a commodity are determined by the Centre. Surely there can be other systems and the State lists of priority may be even better than those of the Centre. It is all right to suggest that for five years or thereabouts, when we have a difficult period to face, when we are to plan, when we are thinking of planning as a joint enterprise between the States and the Centre, it is all right to suggest that there might be some additional powers given to the Centre during a temporary period. But why make it permanent? What is the justification? I have not been able to understand from the spokesmen of the Government or their supporters what particular reasons have dictated them to suggest that there should be a permanent abridgement of the powers of the constituent units of the Indian Republic.

I would also like to place before you some of the other considerations which should be borne in mind. My hon. friend the Minister of Commerce and Industry is an economist and under-

stands the implications of price control, of supply and distribution of these various commodities. The fixation of prices of a larger number of commodities gives a greater control over the creation of incomes in different States. There is no guarantee—and this is a point which I should like to bring to the notice of the House—there is no guarantee that this power will not be abused in the future and that there would not be discrimination, which is likely to work havoc to certain States. That is a point which has to be borne in mind. It is all right for a period of five years or thereabouts; temporarily it might be different. Mindful of the fact that we have to have planning in the present circumstances, and realising the great responsibilities which are facing our State, we suggested that there should be a safety valve in the shape of a review of this amendment after five years. And the heavens will not fall if after five years we approached the Rajya Sabha for the extension of legislative power by another year or two.

Acharya Kripalani (Bhagalpur *cum* Purnea): The Minister in charge may fall!

Dr. Krishnaswami: That may be. But he would have no vested interest in this.

I am suggesting that five years later we could have an examination of the whole Constitution brought up. Planning, as has been pointed out by the Prime Minister, is something dynamic. The face of India would have altered completely. The constituent units which are today poor would have become richer. Are they going to acquiesce in a permanent abridgement of their resources just because it is convenient for the Centre now to take them on? This is a fundamental issue which has to be faced.

There is another argument for entrusting the Government with temporary control over these matters. I am surprised that my hon. friend the Minister for Commerce and Industry did not refer to that fact. We have, for instance heterogeneous States in our country. The White Paper on Indian States has pointed out that today there are many States with varying degrees of administrative efficiency. Possibly, in this transitional period, because of great difficulties, in order that our economic controls may operate in an administrative mechanism with a minimum degree of efficiency, we might give the Centre temporary powers for a period of five years. But, in another five years, they must have come up to their original state of efficiency. It would be an act of penalisation of the more mature States if we say that the marginal States alone should call the tune and that there should be permanent control or permanent abridgement of the functions of the States. Just as in the case of the Bank Award, the marginal banks determine the wage rates of the employees, which has led to a great deal of chaos, our Government seems to imagine that the marginal States will continue to be marginal for all time and therefore permanent powers ought to be given to the Centre.

There is a great deal of argument about national interests. I should like to refer to it at some length. The Constitution-makers were not altogether oblivious to national considerations, when they said that certain subjects should be in the State field. They obviously thought that it was in the national interests that these subjects should be in the State field. By you having utilised all your powers under entry No. 52 in List I, practically many of the industries have been transferred, under the Industrial Development Act, to the Central field for control, production and distribution. Are you sure that it is working in the most ideal fashion? Ninety per cent. of our major industries have been transferred to the Centre and there is a system of licensing which has been adopted by the Development Wing of the Commerce and Industry Ministry. It is one thing to say that particular industries are of national interest. It is quite a different proposition to say that any new unit that

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should be licensed should be licensed only by the Central Licensing Board. Why should somebody from distant south come over here to the Development Wing here, and put forward his point of view, a point of view which may not be appreciated by the Development Wing, far removed from the local habitat, and not having any knowledge of the local conditions? All these points have to be taken into account whenever we think of State control, State autonomy being assured.

I have been told that there are other difficulties which have to be taken into account. People talk of uniformity. I am all in favour of uniformity. But, there are two ways of achieving uniformity. One way is that of issuing directives to all the units to conform to a pattern. There is the other way of taking hold of the policies of the States and co-ordinating them, and thus promoting a degree of uniformity from the Centre. The latter, I think, is the better way. The latter, I think, is more democratic, because it will give a consciousness to the people of their responsibilities and make them feel that they are having a greater stake in the weal and welfare of our country.

Our Prime Minister, on one occasion, gave expression to a prophetic remark. He said, public co-operation could not be obtained unless there was co-operation from the bottom to the top. Are you going to have that co-operation by imposing directives and by suggesting to the units, if you do not co-operate, there is the Sword of Damocles hanging over your head, which will crush you and make you realise that you should be responsible after all? We have to realise that especially when we are living in a period of trial and error, permanent accession of powers to the Centre may not be the best thing at all.

Many have talked about the States. Some have referred to it as a luxury. Some hon. Members have suggested that the States should be abolished altogether. I want to make one observation and I hope that my hon. friend the Minister of States will corroborate what I am going to say. The States, I think, have had a very good record. It is not or proper for my hon. friends to indulge in defamatory statements about them.

Shri Raghuramaiah: May I know who said that the States should be abolished? It is a very serious allegation. Who said that?

Pandit K. C. Sharma: He is not making that allegation seriously.

Mr. Deputy-Speaker: I think the hon. Member is going far beyond.

Dr. Krishnaswami: I am coming to the point.

I welcome that interruption. I say that if you continue to abridge these powers, as you have done, the States very soon would have nothing else to attend to except "Treasure troves" and "Cattle pounds", to quote two of the entries to be found in the Constitution of India. I suggest that if you are going to have this idea of State co-operation, you have to really apply your mind afresh as to how we are going to have co-operation.

Shri N. C. Chatterjee: On the burial ground.

Dr. Krishnaswami: Today, for instance, we have had a great deal more of co-operation with the Centre in the State field than we have had in other fields. Take irrigation and flood control. That is purely within the State field. But, some of the problems that faced us, were of a baffling complexity. Today, as a result of persuasion, as a result of adjustments, as a result of compromise, without necessarily issuing a directive, the States have co-operated much more than in the case of those subjects where directives have been issued from the Centre. I want that point to be borne in mind, because it is absolutely essential if we are going to build up a healthy framework in our country.

Our position would alter radically in another five years, because the States would become much more powerful. Even those advanced States which have a certain degree of administrative experience of these things would not necessarily acquiesce in this permanent abridgement. You give them a lot of functions. You give them a lot of responsibilities. But, you do not give them the wherewithal to carry out those functions. It is a point of view which has to be taken into account. It is a point of view which cannot be ignored. I would wish very much to appeal to the hon. Members here. I know some may say that it is useless on my part to appeal to them. Nevertheless, I think it is perfectly useful. Certainly some of the inarticulate premises which you have held must be rudely shaken. That is my purpose in speaking today on this subject. Let those who hold some of these positions be shaken in their approach. If you wish to have real co-operation, if you wish to have Union-State co-operation or Dominion-Provincial co-operation as in the Dominion of Canada, I say that you cannot have it unless you are able to bring together the States and co-ordinate their activities and not just impose your will on them.

Shri A. M. Thomas: How can you co-ordinate without Central control?

Dr. Krishnaswami: Control will follow persuasion. How did you control in the case of big flood projects where you do not necessarily have control whatsoever? You can certainly control because the Centre has got enough financial grants to give. That itself is a method of exercising control. There are one thousand and one ways of controlling in the interests of democracy. Make them feel that they have a consciousness of their responsibilities. Do not impose your flat on them; do not impose your *hukum* on the various constituent units and say that they should carry it out.

There is one point which I hope you, Sir, will appreciate. People talk of powers being transferred to the Centre. What does it mean in practice? Today, for instance, many of these administrative rules which are being issued by the various departments do not necessarily come up before Parliament for review. They cannot, in the very nature of things. Usually, what will happen is that all these powers will be wielded, in effect, by a Secretary or an executive of the Government. Is that what you want? Is that how democracy is to be promoted? Don't overload the Centre with too many functions and then say, we have not been able to fulfil them. This is a point of view, which if you are not able to understand now you will be able to appreciate some time later. I am not expecting you to be convinced on these matters thoroughly. I suggest that if we go on progressively abridging these powers, it will be impossible for us to create that atmosphere of co-operation absolutely essential for what is known as inter-dependent association of the various constituent units within the Union of India. And I therefore appeal to my friends and those who are in particular for the building up of better relations, not to persist in this constitutional amendment, to claim only temporary powers in the national interest and then bring about a review of the position after five years. That you may not be able to take up. That position might be difficult for you to take up, but should you take up that position, I venture to suggest that the constituent units and the States and the people in different parts of our country will praise you for your democratic effort, and will take the definite view that at least for once you listened to the voice of reason. I make this plea. I know it may not be heard, but I hope at least remotely it will make some impression on those in power and in direction of policy, so that ultimately we might be able to have a better chapter opened in the relations between the Union and the States.

4 P.M.

An Hon. Member: No chance.

Shri C. C. Shah (Gohilwad-Sorath): Mr. Deputy-Speaker, Sir, the

[Shri C. C. Shah]

opposition to this Bill is based essentially upon two arguments, *viz.*, that it is a serious encroachment upon the powers of the States, and secondly that it will retard the forces of democracy by excessive centralisation of power. These two arguments may be repeated in various forms by various speakers, but if you analyse all the speeches of the Opposition, essentially it comes to these two arguments and no more.

An Hon. Member: What more do you want?

Shri C. C. Shah: Yes, exactly, and therefore I will examine only these two arguments.

Divorced from facts and speaking theoretically and in the abstract, these arguments may sound very plausible, but what we have to examine is: what is the nature of the encroachment, and what will be its effect. That is why I request my friends in the Opposition to concentrate more on facts, rather than on abstract principles which they are enunciating. We are as much in love with those principles as you are, and....

Mr. Deputy-Speaker: Hon. Members will kindly take care to see that they address the Chair—on both sides.

Shri C. C. Shah: I appreciate it, Sir.

Now, what is the nature of the encroachment which is so much talked of? Article 369 is composed of nine items over which the control of the Centre was given for a period of five years. Out of these nine items, five items have already been put under the permanent control of the Centre. I will read those nine items: cotton and woollen textiles, raw cotton, cotton seed, paper (including newsprint), foodstuffs, cattle fodder, coal, iron, steel and mica. Out of these nine items put in article 369, five items, *viz.*, cotton and woollen textiles, paper, coal, iron, steel and mica are already under the Industries (Development and Regulation) Act under the control of the Centre permanently. When that Act was passed, I never heard any Opposition Member say that we were doing something which was outrageously wrong.....

Shri K. K. Basu: We were not here.

Shri C. C. Shah:...that we were encroaching upon the powers of the States to such a great degree that we were permanently altering the division of powers between the States and the Centre. Five of the most important items—cotton and woollen textiles, paper, iron, steel, coal and mica—which make up more than fifty per cent. of the items composed of the nine items under article 369 have already gone under the control of the Centre, and that too by an Act of this Parliament, and that Act was passed because it could be passed, and yet there was no opposition to that. Only four items remain. Those four items are what you may call agricultural products, and the agricultural products cannot be brought under the control of the Centre except by a minor amendment of the Constitution, and that is why this Bill is, technically speaking, an amendment of the Constitution. But it is extension of the same principle by which we transferred these five important items from article 369 to the permanent control of the Centre. I, therefore, respectfully submit that we are doing nothing new, nothing outrageously wrong, in what we are doing today, but we are only extending a principle which this Parliament has already accepted by the Industries (Development and Regulation) Act. That is to be borne in mind.

The only new item which is included in this amending Bill is raw jute. Now, that is an item with which, primarily speaking, it is the West Bengal Government which is concerned, and it is that Government which has fully concurred in this

Bill. Therefore, does it lie with us to say that in spite of the concurrence of the only Government which is primarily concerned with raw jute and which consents to these powers being given to the Central Government, we should object to it? (*Interruptions*). The hon. Member Shri K. K. Basu may represent the people of Bengal better than the West Bengal Government, but that is a claim which I doubt.

Mr. Deputy-Speaker: It is only a doubt, after all?

Shri C. C. Shah: I would like to put it as mildly as I can without in any way offending his susceptibilities. (*Interruptions*).

Shri Raghuramaiah: It is a doubt without doubt. (*Interruptions*).

Shri C. C. Shah: There is one other item in this about which nobody has said anything, namely, Imported Articles. (*Interruptions*). It is true that mica is not included at present under the Industries (Development and Regulation) Act, but it can be added by an Act of Parliament without any amendment of the Constitution.

The next thing to bear in mind is that these items are being put in the Concurrent List. My hon. friend Mr. Asoka Mehta belittled the importance of the fact that these items are put in the Concurrent List, and he thought as if it was a permanent encroachment upon the powers of the States. Now, I would like to refer to article 254 of the Constitution which states the effect of an item being in the Concurrent List. So much is said about the occupied field and so on. Let us see what exactly it means. Article 254 (1) says that if there is an Act passed by the Parliament which is inconsistent with an Act of a State, then, to the extent of the inconsistency only the Central Act will prevail, but that leaves the full field and discretion to the States to pass such legislation as they think proper, and the Centre comes in only when the problem becomes an all-India problem and a situation has arisen where it becomes necessary that, because of the varying and conflicting laws passed by various States, there should be some uniform legislation. But, that is not all. Under clause (2) of article 254, even when there is a legislation by the Centre, if any State makes out a case that in spite of a Central Act it is necessary for that State to have an Act of its own even inconsistent with the Act of the Centre, and if it satisfies the Central Government and the Act is reserved for the consideration of the President and receives the assent of the President, the State Act can prevail within that State even over the Central Act in spite of its being inconsistent. Therefore, this loud talk of occupied field and the States being permanently and outrageously deprived of their field of power is, if I may respectfully say so, somewhat outside the facts.

The third thing we have to bear in mind is, as the hon. Minister referred to it, article 73. Under article 73 the entire executive power of Acts of this nature is left to the States. Now, I entirely agree with my friend, Shri Asoka Mehta that a legislation of this character cannot succeed unless we have the full co-operation of the States, because the Act, even when passed by Parliament, would have to be administered by the States, and therefore, even when Parliament thinks of passing such an Act, it will and it must—the Government at least must—assure itself that the States will fully implement the Act which Parliament wishes to pass; because, the entire executive power under the proviso to article 73 rests with the States, and therefore, unless there is the full assured co-operation of the States, the Centre, in spite of the fact that it has the power to pass such an Act, will hesitate and will not, in my opinion, pass such an Act unless the full co-operation of the States is forthcoming.

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Now, on all these grounds it must be obvious, I submit, that there is neither such serious encroachment of power, nor such serious disturbance of the distribution of powers as is sought to be made out. And the States will still be consulted. They have the opportunity to voice fully their views under article 368 when this legislation goes to them for ratification, and it is only when half the number of States of Parts A and B concur in this legislation that it will become effective. But apart from that, what are the facts? Members of the opposition have argued and they have conceded that a further extension of the powers may be necessary under article 369. We must go to the recommendations of the Commodity Controls Committee in this connection. My hon. friend Shri Raghuramaiah has already referred to para 41 of that report. I would like to read para 36 of that report, because so much has been made of article 249, which gives power to the Rajya Sabha to pass a resolution regarding a particular commodity, which has got to be renewed from year to year. What does para 36 say? It says:

> "Whether at any time it is necessary to exercise control in respect of a particular commodity and if so, to what extent and in what form the control should be exercised depends entirely upon the overall situation regarding that commodity at that time. The commodities in respect of which control is necessary and the form and extent of such control, therefore, keep on changing from time to time. It is neither possible nor desirable that legislation should be undertaken time and again to provide for control of different commodities as occasion arises. To have a number of laws on the subject of control is also confusing. The Committee considers it essential that there should be a single permanent and consolidated law conferring upon the Central Government reserve powers to enable the exercise of control over any commodity at any time; such law should be sufficiently elastic and comprehensive to meet every emergency."

That is a complete answer to those who advocate a resort to article 249 of the Constitution, which is only of a temporary nature.

An Hon. Member: Emergent.

Shri C. C. Shah: Certain observations have been made in this minute of dissent regarding the Committee which made these recommendations. I must regret that these observations should have been made by responsible Members of this House.

Some Hon. Members: Why?

Shri C. C. Shah: I will presently point out why. What does the minute of dissent say? It says:

> "Without casting any reflection on any individual member of the Committee, we deem it our duty to point out that four out of the five members of the Committee were either Joint Secretaries or Deputy Secretaries to the four Ministries of the Central Government..."

They have said that because four of them were either Secretaries or Joint Secretaries or Deputy Secretaries of the Central Government, therefore, they must have a bias for the Central Government. It needs a great deal of courage to say that because they are civil servants of the Central Government, therefore, they must have been biassed or prejudiced. *(Interruptions)*. The only grievance made is that no representative of the States was associated with that Committee. As to what they have done, you have only to turn to Appendix II and III of the report. You will find in Appendix II, the names of each one of the twenty-six States, and each

one of these States has submitted its memorandum on the questions which this Committee was to consider. Twenty-one out of the twenty-six States appeared before the Committee, and gave all their arguments, submissions and facts on the questions which were being examined by the Committee.

Shri N. C. Chatterjee: May I draw the attention of the hon. Member to one point? All that we have pointed out is that it is a matter of regret that not one representative of the State Government was represented on the Committee.

Shri C. C. Shah: That is what I am pointing out. The States were fully consulted at every stage.

Shri N. C. Chatterjee: Not the State Government.

Dr. Krishnaswami: They were not represented on this Committee.

Shri C. C. Shah: You may draw your own conclusion that because a representative of the State was not there, there was a bias against the States and in favour of the Centre. That is not a conclusion which I am prepared to draw, and that is not a conclusion to which any reasonable person should come.

Pandit K. C. Sharma: That is not warranted at all.

Shri C. C. Shah: The real opposition to this measure is based upon a different ground altogether, and that ground was given out by my hon. friends Shri K. K. Basu and Dr. Krishnaswami, and that ground is, "we doubt the *bona fide* of this Government."

Shri K. K. Basu: Of course. (*Interruptions*).

Shri C. C. Shah: Shri K. K. Basu says, of course, and Dr. Krishnaswami said that there will be an abuse of the powers by this Government. That is exactly where they disclose their real ground of opposition. That charge is not true. (*Interruptions*).

Acharya Kripalani: From their acts, we judge them.

Shri C. C. Shah: It is not that they are opposed to the principle of this Bill. It is not that they are opposed to the necessity of this legislation. If they had been in power, if they were occupying the benches which Government are occupying today, they would have passed the same legislation probably with more drastic powers.

Some Hon. Members: No. (*Interruptions*).

Shri C. C. Shah: It is only because the powers are to be exercised by persons other than themselves that they do not like this legislation.

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): I knew you can never be so wise.

Shri Raghuramaiah: I doubt whether they will have that wisdom.

Shri C. C. Shah: I submit that the Opposition opposes because the powers which are now being given to Government will not be exercised by them for the present or for a long time to come, and that is the only ground of opposition, with which we entirely disagree. I support the Bill.

Shri Raghavachari (Penukonda): I was also a member of this Joint Select Committee, and I am also one of the authors of this minute of dissent which has been appended to the report of the Joint Select Committee, along with my other friends.

I too had the pleasure of listening to the derisive remarks of the hon. Minister in charge of this Bill. I for one know that when they have no argument, they generally begin to abuse the opposite party. The Minister has a notion of his own conviction, and the reasons behind the opposition he is unable either to see or understand in their proper light. Apart from what the minister

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thought, he came out in his assumed superiority of knowledge. I really feel that that is hardly the attitude that a responsible Government Minister should ever have towards the opposing members of the Select Committee, especially when all of them have found fit to append a joint minute of dissent.

I was listening carefully to Shri C. C. Shah's remarks. I have also examined this legislation, and what appears to me to be most objectionable is this. At a time which was much more disturbed, at a time when the atmosphere was really much more doubtful as regards the future, the Constitution-makers did specifically consider, before enacting article 369, whether it was worthwhile to extend these powers permanently or for a longer period than five years. There were amendments; there was full consideration on all of them, and the hon. Minister in charge definitely came forward and said, that there was no need for these powers permanently, and when the Constituent Assembly passed this article, they definitely said that the powers shall not be beyond five years. It is not only that, they have said, but they have also said that the moment the fifth year is over, the legislation passed must lapse. So, the people who enacted this Constitution, who were, I suppose, much more imaginative, much more responsible and much more sympathetic to the future of this country, thought that these powers conferred under article 369 must be there only for the period of five years, and nothing more. Why is it they came to that conclusion?

They came to that conclusion, because if you examine the allocation of items under the different Lists in the Seventh Schedule, you definitely find that there has been a particular picture before the Constitution-makers, and since that picture was that in India, peculiar as it is, mostly an agricultural country, they never could contemplate that foodstuffs, oilseeds, and almost every conceivable thing on which human beings must live, and animals also must live in this country, should be within the purview of the Centre's interference. Naturally, therefore, they said that this power cannot go beyond five years.

Now, the only question is that it is not a general discussion merely whether the Constitution can be amended or not, and whether we are trespassing upon the province of the States or not; these are not the only considerations, and no reasonable man would say, that these are the only considerations. I would ask: Is there a need for it? If there is need, can we entrust you with these powers? What is the experience that you have left on the country, when you had these powers within these five years? Are you satisfied with your own Commodity Controls Committee's report? It is a solemn document on which you wish to place your support, and you quote it as your Bible. What is it that they have said?

I am not going to quote *in extenso* what they have said in the Committee's report. Suffice it to say that they have definitely conceded that the control powers have not been properly exercised and it has left a very bad trail behind of corruption, of suffering and so much of human misery. That is what they have said. It does not require me to point this out. I am not able to understand how this Government can ignore those paragraphs and those statements and that experience. Is it not that but for the fact that the controls were hopelessly and miserably applied and administered in the whole of the States, much of this suffering of the country would have been saved? Therefore, this is the taste you have left, and this is the way in which you have exercised these controls over these five years. I for one honestly feel that it might take not five years, but ten more years before all that corruption, the

habit of corruption, which these controls have produced and left behind in every nook and corner of this country, goes. Every human being who has had anything to do with these controls has misused his power. He has battened and fattened himself. You entrusted all these monopolies to a co-operative society or a particular friend or a partisan or somebody and the consequence was that he went on accumulating money in crores, lakhs and thousands. I would ask any Member of this House to consult his own experience or the experience of his near relatives, if they had anything to do with the control and distribution and trade of these things, whether it is not a fact that they have made money. How can you, therefore, say—a point which you have made—"there is absolutely nothing here. We want this. We are going to do that"? How can you expect the country to believe this and to forget the nasty impression that you have created in the mind of almost every human being, that these controls are an engine of oppression, that these controls are matters for people who can make themselves big and fat? That is the thing which is at the bottom of the opposition; that, I personally feel, is against the extension of these powers.

Then it was said that these people who dissented had conceded the need for extension. The next argument was: who can say what the next five years will bring? And we are with a planned economy. These are the arguments which are urged. I ask: what was it that you had placed before your mind when you started the Five Year Plan? They expected—they are saying they believe, and they want us to believe—that at the end of the fifth year, they would have solved this food problem. We at the end of the third year and in two or two and a half years expect the food situation in the country to be much better, practically self-sufficient. They are in every budget speech, on every occasion—and in their journals—claiming that they have produced so much food and so the food position is comfortable, the cloth position is comfortable and every position is comfortable. Today, even before the end of the Plan period, they are spending crores to make us much more self-sufficient. They believe it to be so. Still they want us to believe them when they say: 'Who can say what the next five years will bring?' So do they want us to believe that when they are saying all these things, that they are spending crores to solve this problem, they are deceiving us and they are putting a spurious case? They say that this is going to solve the problem. But today they ask, 'what is going to be the position tomorrow? There might be a famine; the whole country might perish; this responsibility is theirs". Is it not equally the responsibility of the States and of the whole nation? Therefore, all these arguments are simply arguments for the sake of arguments.

I for one feel that the whole scheme of this distribution of powers in the Seventh Schedule is that the State has absolute control over things which are essential in everyday life. They no doubt get for a temporary period—five years—some powers under article 369. Now they have added to item 33 in the List and they want to base the entire argument on what the Commodity Controls Committee has recommended. Have they examined the way in which the Commodity Controls Committee has approached this problem? They went to the length of saying that items 26 and 27 of the State List should be abolished. Is that the recommendation of a responsible set of people who are really interested in the proper jurisdiction and rights of the States. They said that items 26 and 27 must be removed from there; they also said that these powers must be permanently taken over by the Centre.

Therefore, when I read through that report, I was perfectly satisfied that their approach—and the only approach would be—that controls must be retained. Do you forget the

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experience, during that period of controls, when Mahatma Gandhi was alive and was about to stake his life for the abolition of these controls; because the controls left behind in the country the dirtiest experience and habits? I feel unwilling to express this, but it is a well known secret that the existence of controls is the existence of an army of officials. It is the very foundation on which the officials would exist.

Shri M. S. Gurupadaswamy: An army of favourites.

Shri Raghavachari: We know that quite recently Mr. Rajagopalachari had the courage—I expect with the consent of the Centre—at a later stage—to abolish the controls in Madras. Did the heavens fall then?

I must here express my appreciation of the fact that the Food Minister Mr. Kidwai, has always taken a bold stand. Even on the floor of this House, I have heard again and again the plea for controls, for basic controls and people saying 'there is need for controls', and Mr. Kidwai coming and saying 'there is no need for controls in this State, there is no need for control in that State'. The other day.....

Mr. Deputy-Speaker: Is it not an argument against the hon. Member, that the Centre will exercise it with care and caution?

Shri Raghavachari: You will please appreciate that it is not always that we have people who exercise their powers properly. For instance, I will cite my experience in this House. For the last 2½ years I have been seeing so many Boards which have become 'black Boards', nominated Boards in the pockets of the Ministries.....

Shri M. S. Gurupadaswamy: Rubber-stamp Boards.

Shri Raghavachari: Every day a Bill is brought saying that what the powers and constitution of these Boards are, saying that these are not to be elected but nominated by some power, by some interest. Therefore, this power is a very bad thing in life; it often makes a man use it not properly. There have been quite a few occasions like that. Therefore, shall we entrust these powers permanently to them? Have they made out a case? My point is simply, whether they have made out a case. They referred particularly to an Act that has already been passed, where certain commodities on which industries flourish have already been the subject of some legislation. I have not been able to understand the whole purpose and the need for these elaborate powers that they want. I can understand that in a state of emergency, in a state of danger, certain powers to the Centre are necessary. But what is it that they are proposing to take? Is it trade and commerce and supply and distribution that they want? If it is inter-State trade, you have that power. If it is within the State, why do they want to go in for that? Our fear is about some of these powers that they want, more particularly over food-stuffs including edible oilseeds and oils or cattle fodder, including oilcakes etc. These are all the things, power over the production, trade and distribution of which they want. That means within the State. Otherwise, it is unnecessary. If it is meant only to keep your powers over trade and commerce and distribution and supply, there may be something to be said for it in a state of emergency, as a matter between State and State. That you can do even now.

Therefore, it is unnecessary. These powers are sought to be taken over matters which are all-inclusive and which leave nothing for the States. It is also likely to affect many other items of the list in which the States have exclusive responsibility. It may be said that it will not be exercised in the old way, but the point is: where is the need for such power to be given to them? For instance, there is agriculture. You want to take power for production of foodstuffs; agriculture includes education,

research, diseases of plants and all such things. These are all matters for the State. If they want to take over control on production of foodstuffs, then there is need for control over land which is in the State list. Then, you know, foodstuff is not defined in this. We must presume that whatever is eaten or consumed is foodstuff. What about liquor? It is a drink which is naturally within the competence of the State. Then they —the States—have got the preservation of cattle and the States have to take the responsibility of preserving cattle without the cattle fodder; that is, some other man produces cattle fodder so that my cow or buffalo must flourish. Again, I find that water, irrigation, canals and all these things are there in the State list. How can they control foodstuffs or their production without power over water and other things like that? It is all something, which, when you examine in detail, will appear to be against the whole scheme of the arrangement of these Schedules.

Then again, they get control over fisheries because fishery is something connected with food over which they want to take the monopoly. It may be said: they are not going to exercise all these powers; it is only put in there for exigency or emergency. All the offences relating to these matters are within their, i.e., States competence. About agriculture and all these other things the offences are also within the competence of the States. Now, they want to change it over to the Concurrent List and thereby, certainly, it is an encroachment on the States' powers. They may say: they are not going to exercise it like that, but how am I to accept that? There are very many occasions when it has been wrongly used or improperly used. To quote an instance I come from that part of the country which is known for oilseeds. Almost everyday there is a loud cry about oilseeds. It is not one district or two districts, it is almost 2½ States—Hyderabad, Mysore, Andhra and also some parts of Madras. The whole thing is controlled and the Minister wants that the price must come to Rs. 1,000 and then he will do something. There has been suspicion—some questions are often asked on the floor of this House—that much of it is going to benefit the *vanaspati* industry. The Minister was saying—only yesterday or so—that the *vanaspati* traders are passing through very bad days. Therefore, much of their margin of profit is being cut; may be, where they were getting crores, they might be getting only lakhs. But, the point really is that the agriculturists are having nothing. Therefore, Sir, the unfortunate thing is, so far as these powers which they want to take over permanently are concerned, I feel it is such a big slice; that, I am afraid, will leave nothing to the States. It will surely lead to all kinds of complications apart from these arguments of encroaching upon each other's power.

I also find that in matters of amendment to the Seventh Schedule, the Constitution requires that the majority of A and B States must consent. Is it not wisdom, is it not the ordinary commonsense that you should have a possible expectation of the majority of these States agreeing to this enactment? They have consulted the States and as far as the analysis placed before the House is concerned, it looks.....

Pandit K. C. Sharma: They expect their ratification.

Shri Raghavachari: You expect ratification; I will come to that. What I am saying is: today they have been consulted and they have expressed their unwillingness; some are against and some are still considering. As one hon. Member at the earlier stage of this discussion said: "They have not got the courage to say 'No' ". It only means that they are willing to say 'No' but they are afraid to say that. That is the only thing behind that argument. If that is so, is it not that the Government are forcing this against the consent of the States? In other words, they do not care or they hope to persuade the States after the Bill is passed. Persuasion can be from coercion to reasoning with them.

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Therefore, because in the States they happen to have a majority—I once even heard an argument to that effect —they think that this is the most opportune moment and they can rush through with this legislation. But, it is a most dangerous attitude for any section of the representatives of the people that they can do things in a moment of expediency. It is not a question of our friends here saying that there is Congress majority in most of the States and therefore, it will all go all right. How can we expect that? You are changing the Constitution permanently. Will the present state of affairs continue permanently in the country? Can you always expect that the Centre and the States will all be manned and controlled by one party, one political party? It is not a question of giving more powers here or more powers there. That is a flippant argument and not a reasonable argument. You cannot say that another man will not misuse it. The whole question is as to what should be the responsibility of a Parliament before the Centre can be allowed to take over such large powers, stretching over almost all the activities of the States exclusively reserved under this allocation of subjects. I have felt that there has been absolutely no need to have such wide powers over all these items. I have myself given an amendment that the word 'production' must be omitted in the clause; of course, in due course I can refer to it when the matter comes up. One can understand, trade, commerce, supply and distribution. I once heard the Commerce and Industry Minister saying that control over some industries involves control over supply and distribution. Are they not satisfied with the powers over trade, industry, supply and distribution? They want to control all these things, relating to sale, production etc., on which the States largely depend for their finance. My hon. friend Shri C. C. Shah was saying that it is a concurrent subject. What does it matter? The Centres' legislation if it is inconsistent with the State's legislation to that extent alone, it prevails and over other matters the control of the State legislation prevails. But what prevents the Centre from passing an all-comprehensive legislation leaving no room to the State to legislate? Therefore, if really you want to have uniformity of Legislation and administration in regard to these fundamental or important items like foodstuffs and other materials, as per the Constitution it is provided that you can so legislate with the consent of the States. The Parliament can legislate; that law will govern these matters in all the consenting States. Some States may agree and other States may later accept to be guided or abide by the legislation that is passed.

The other point is they referred it to twenty-seven States and said 'we want the power'. I think except the Part A and Part B States, the Part C States may be practically left out of consideration. Parliament can always legislate for them. We have always got these powers. So the question of there being some trouble in less advanced States; that argument does not appeal to me.

There was one other argument. Mr. Raghuramaiah was saying "the persons who have appended the minute of dissent have conceded that it may be extended for five years." "If there is need", they have put in. If you do not wish to read the "if" and other things, I cannot help.

I personally feel that there is absolutely no need for this amendment at this moment when they claim, their plans claim, and they are always doing propaganda that things are quite well, that they have managed things so well and that all of us are happy. And now they say "tomorrow there may be difficulty and therefore we want powers". I am not at all satisfied. I feel there is no need for this amendment now.

Mr. Deputy-Speaker: Shri Mulchand Dube.

Shri U. M. Trivedi: Those of us who were not given an opportunity at the time of the first consideration were told that we would get an opportunity at the time of consideration of the Select Committee Report. But we find that those who had already taken advantage have again spoken today and we are deprived of our opportunity.

Mr. Deputy-Speaker: I do not know who all spoke already, whether Shri Asoka Mehta spoke already. Shri K. K. Basu spoke already. Dr. Krishnaswami spoke already. Shri Gadgil spoke.

Shri U. M. Trivedi: He spoke twice.

Mr. Deputy-Speaker: And then Shri Raghuramaiah, Shri Raghavachari, Shri C. C. Shah. I am calling others also. Each hon. Member may take ten minutes. Many of the points have been sufficiently stated.

Shri V. B. Gandhi *rose—*

Mr. Deputy-Speaker: Yes, Shri Gandhi's name is also here. I can never forget it.

Shri V. B. Gandhi: Thank you.

Shri Mulchand Dube (Farrukhabad Distt.-North): I beg to submit that it is absolutely necessary that the proposed amendment should be made. Hon. Members opposite have approached this question from an entirely different and, if I may say so, erroneous point of view. They have approached this question from the point of view of the States and not from the point of view that India is one unit and not a conglomeration of States.

The points made by the Opposition, as already stated by Shri C. C. Shah, boil down to these: firstly that this is an encroachment on democracy, and secondly that it is not necessary at the present moment. In regard to the first I may say that this Parliament is also a democratically elected body and it represents the citizens of India quite as much as the Members of the Legislatures. So when this Bill is attacked on the stand that it is an encroachment on democracy, my submission is that the entire approach is wrong. This House is quite as much a democratic body elected by direct election, and therefore so far as the question of encroachment of democratic right is concerned, that question, I submit, does not arise.

The second point that has been made is that it is not necessary at the present moment. And an argument is put forward in support of it that the food situation at the present moment is comfortable and satisfactory. The food position is comfortable and satisfactory because the Centre has been administering this subject for several years past. It is not because the States were administering the subject that the position is satisfactory. We have famines and scarcities in different parts of India every year. In this year also there have been floods in Bihar, Assam and West Bengal, and in other parts of the country also a great quantity of food has been damaged or destroyed by floods. There are many States which have scarcity even in this year.

This is certainly an abnormal year to a certain extent. But every year, in and out, we find that there is scarcity in one State or another. If a surplus State takes it into its head to say that it will not supply food to the State which is deficit or supply it only on such conditions which may not be practical or which may not be acceptable to the other State, in that case who is the authority to come in the way and to see that the food is supplied also to the deficit States on reasonable terms? It is only the Centre that can do so. Therefore, it is necessary that the Centre should have the power to control the foodstuffs and their distribution throughout the whole of this country.

Apart from this it has also to be considered that the Centre does not

[Shri Mulchand Dube]

take the full powers in respect of foodstuffs and the other items that are included in this amendment. They are only placed in the Concurrent List. And placing it in the Concurrent List means that the execution of any legislation which may be passed by the Centre will be left to the States.

Then there is another thing, that this Act will not become law unless it has been accepted or endorsed by at least half of the States.

Therefore, to say that it is an encroachment on the democratic rights of the people or that it is not necessary at the present moment or that it will not be necessary hereafter, is not correct. My submission is that all these arguments do not carry much weight. I fully support the Bill and I hope it will be passed.

Shri V. B. Gandhi: We are glad to say that in the report of the Joint Committee that is before us we see a general agreement with the central object of the Bill. When I say general agreement, I mean the entire agreement of the majority report as well as the agreement of the minority report, that is, the minute of dissent which is signed by seven eminent Members of the Committee. What is the central object of this Bill? The central object of this Bill is to enable the Central Government to continue to have the power to legislate in respect of certain essential commodities. This power the Union Government already has today, under article 369. But it will lapse on the 25th January, 1955. When I say that we have a general agreement I say that the minority report also agrees with the central object. Here is what they say (page v):

> "We are fully alive to the necessity of clothing Parliament with necessary authority to keep certain matters under Union control in view of the needs of planning."

So they agree with the need of keeping certain matters under Union control.

Their suggestion in the matter is:

> "We suggest that the period specified in article 369, if its extension be considered essential, may be altered so as to make the total period of Parliament's competence extend up to ten years."

They agree with the central object. Only they would give this power in a different form and for a shorter period. The reason for their wanting to give it in a different form and for a shorter period is that they are apprehensive that the present Bill,—I shall quote—

> "if passed into law as it stands will constitute a serious encroachment on the rights and powers of the States."

If we can now show that the present Bill does not constitute such an encroachment or that the States themselves do not consider it as an encroachment on their rights or that the States themselves agree with the objective of the Bill, of course, much of the force of their argument should go out. As we know, after all, this Bill does not become law and the Constitution does not stand amended simply by this House and the other House of Parliament passing it. It has ultimately to go to each one of the States in Parts A and B. After all, the States are going to have an opportunity to have their say whether this Bill constitutes an encroachment upon their rights or not. I think we ought to leave it to the States to decide and not take upon ourselves the responsibility of deciding such a vital issue for them.

I come now to para 5 of the dissenting minute regarding the Commodity Controls Committee. We would very much like this House to dissociate itself from the observations that occur in this para about the personnel of the Commodity Controls Committee. After all, they are not here to defend themselves and in fairness, we ought to say that we dissociate ourselves from these observations.

There is another contention made in this regard. The minute of dissent says:

> "...it was not within the purview of this Committee to enquire into the question of distribution of powers as between the Centre and the States."

One only has to look to the terms of reference of this Committee and there the first term is.....

Shri Raghavachari: The hon. Minister has conceded that.

Shri V. B. Gandhi: I am quoting from this report itself.

It is,—

> "to examine and review the working of the Essential Supplies (Temporary Powers) Act, 1946."

Now, this Act lapses and it is, therefore, the duty of the Committee to recommend ways in which the powers at present exercised by the Union Government can be continued. If these powers can be continued by means of an amendment to the Constitution, it was perfectly within their purview to suggest such amendments.

There is a general belief that by extending the Concurrent List, as it will be extended if this Bill is passed, we shall be doing some violence to the federal principle underlying our Constitution. But authorities on constitutional law have said very clearly that neither the existence nor the extension of the Concurrent List in any Constitution violates the federal principle of a Constitution. Some hon. Member said,—I believe it was Shri Asoka Mehta,—that when this Government is taking this power, it is going to use that power. Of course it is going to use it. But, 'using the power' is rather a crude expression when we are talking in terms of the Constitution. The power that the Union Government will be empowered to exercise under the Concurrent List will be what is known as the 'potential' power and the 'real' power will rest with the States and the States legislatures. In this connection, I will quote a passage from the speech of the hon. Minister of Commerce and Industry in the other House in which this distinction is made very clear, where we are able to see that the power which the Union Government will exercise will be potential power and that real power will rest with the States. Here is the passage:

> "...even in regard to item 33 of List III as it stands today..."

Shri M. S. Gurupadaswamy: On a point of order, the hon. Member is just quoting from a speech which the hon. Minister made in the other House. Can he quote that speech?

Shri T. T. Krishnamachari: Ministers' statements are allowed.

Shri M. S. Gurupadaswamy: There was a previous ruling in this House.

Mr. Deputy-Speaker: The previous ruling referred to speeches made by Members of the other House. Speeches made by Ministers can be quoted. Hon. Member can look into it. The Ministers are both here and there. If they make one statement here and another statement there, we can bring to their notice such things and refer to that statement. They have made a statement already with a view to explain some misunderstanding about that statement. An exception has been made in regard to speeches and statements made by the Members of Government.

Dr. Ram Subhag Singh: Why this discrimination in this small matter?

Shri V. B. Gandhi: The passage is:

> "...even in regard to item 33 of List III as it stands today in respect of those powers which the Central Government exercises, the amount of regulation directly exercised by the Centre is the minimum ..."

[Shri V. B. Gandhi]

I wish to repeat this: "the amount of regulation directly exercised by the Centre is the minimum".

> "..... and we can only say that the power that is vested in the Centre is potential rather than real and it is very largely left to the State Governments to operate these powers either by express delegation or by the rule-making powers vested in them."

That is all about this apprehension of the Centre usurping the powers under the Concurrent List which belong to the States.

5 P.M.

In this House, it is very essential that we consider this problem also from the point of view of the States. It would be interesting for a moment to consider how the State legislatures will react to this Bill. What will be the considerations on which their judgement will be based? For the States, it will be an intensely practical problem, and a very serious problem too. We must not forget that here we are talking of the States in the abstract. But all States are not similar to one another. They have very different problems and their economic status is not the same. So, the considerations that will weigh with the States cannot be the same in all cases. The States will also seriously give consideration to their past experience in regard to these powers which have been exercised by the Union Government in the past five years. They certainly will not forget to consider and weigh their experiences in the past five years. The States will also consider how the needs of their planning will be affected. There will be States which are surplus States in the matter of food. There are others which are deficit States. There are States which are liable to floods, famines and other kinds of natural calamities. Then, there are States which have lately gone through very heart-rending experiences, as a result of the operations of hoarders and speculators, because most of these essential commodities are commodities which are liable to surpluses and deficits one year or the other. The States will consider this matter strictly from the point of view of the interests of the States, of their individual States, while not ignoring the interests of the Union as a whole. There can certainly be no question of the States looking at this problem from the point of view of there being two hostile camps, one camp "the States" and the other camp "the Union Government". They will certainly not look upon this question from the point of view that what is the gain of the Union is the loss of the State, or that what is the loss of the State is the gain of the Union, and therefore for us in this House to consider this matter in a very theoretical and academic manner is not really necessary at this stage. We can trust the States —their legislatures are fully responsible—we can depend upon them to take care of the real interests of their individual States. Therefore, in talking about these interests of the States and the encroachment on their rights in this House we are barking up the wrong tree. Let us therefore be patient, wait and see.

Mr. Deputy-Speaker: Has the hon. Member much more to say?

Shri V. B. Gandhi: I will finish in two to four minutes.

Mr. Deputy-Speaker: All right. Two minutes. (*interruptions*).

Some Hon. Members: Let him continue tomorrow.

Mr. Deputy-Speaker: Let him finish so that another hon. Member may start tomorrow.

Shri V. B. Gandhi: If you will allow me .....

Mr. Deputy-Speaker: Yes.

Shri V. B. Gandhi: ...I will continue tomorrow.

Mr. Deputy-Speaker: Then the House will stand adjourned and meet at 11 A.M. tomorrow.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday the 23rd September, 1954.